

Also, petition of Reel Quality Shop, of Milwaukee, Wis., protesting against the luxury tax; to the Committee on Ways and Means.

By Mr. CLAYPOOL: Petition of citizens of State of Ohio urging national ownership and government of railroads; to the Committee on Interstate and Foreign Commerce.

By Mr. CRAGO: Petition of Philadelphia Produce Exchange favoring the determination by Congress of the scope of the work to be done by the Bureau of Markets, Department of Agriculture; to the Committee on Agriculture.

Also, petition of Rotary Club, of New Castle, Pa., favoring continuation of Federal control of wire systems until Congress shall have studied the question further; to the Committee on Interstate and Foreign Commerce.

By Mr. ESCH: Petition of Wisconsin State legislative board of the Brotherhood of Locomotive Firemen and Enginemen, of Milwaukee, demanding new trial for Thomas J. Mooney; to the Committee on the Judiciary.

Also, petition of legislative boards of the Brotherhood of Locomotive Firemen and Enginemen and Brotherhood of Railroad Trainmen of Wisconsin, opposing General Order No. 42, which denies to railroad employees their constitutional rights; to the Committee on Interstate and Foreign Commerce.

By Mr. HERSEY: Petition of Britton Leather Co., Brewer, Me., urging repeal of the periodical postage amendment to revenue law; to the Committee on Ways and Means.

By Mr. HOLLINGSWORTH: Memorial of Oscar Marietta and 10 other residents of Salem, Ohio, asking for repeal of postal zone rate bill; to the Committee on Ways and Means.

By Mr. KAHN: Petition of Northern California Hotel Association, urging the return of the railroads to private ownership; to the Committee on Interstate and Foreign Commerce.

Also, petition of San Francisco Chamber of Commerce, protesting against Government ownership of railroads; to the Committee on Interstate and Foreign Commerce.

By Mr. KINKAID: Petition of P. E. Fitzgerald and others of Pleasanton, Nebr., asking repeal of postal zone law; to the Committee on Ways and Means.

Also, petition of Mrs. Dema Marsh and citizens of Westerville and Arcadia, Nebr., asking for repeal of postal zone rate bill; to the Committee on Ways and Means.

By Mr. MAGEE: Petition of Mr. and Mrs. L. D. Palmer, of Syracuse, N. Y., favoring repeal of the postal zone rate provision; to the Committee on Ways and Means.

By Mr. MANSFIELD: Petition of Cuero Chamber of Commerce and Agriculture, Cuero, Tex., urging Congress to enact such laws that all transportation by rail or water and the wire system shall be released from Government control and returned to individual or corporate owners; to the Committee on Interstate and Foreign Commerce.

By Mr. MORIN: Petition of the Pittsburgh Board of Trade, asking for the creation of a Federal highways commission, that the present appropriations for Federal aid to the States be continued and increased so as to keep pace with the development of the country, and that all governmental activities with respect to highways be administered by the Federal Highways Commission; to the Committee on Roads.

Also, petition of the Pittsburgh Board of Trade, urging legislation to prevent any German or Austrian reservist or any other person who was engaged in any manner in opposition to the United States and its allies returning to the United States for any purpose whatever, and that all enemy aliens be deported and forever debarred from returning to this country; to the Committee on Immigration and Naturalization.

Also, petition of Pittsburgh Board of Trade, urging that Turkish authority should not be reestablished, and that the new Syria shall be federated union of provinces; to the Committee on Foreign Affairs.

By Mr. MOTT: Memorial of senate of State of New York, urging that Congress enact legislation giving pay bonus to men discharged from the Army and Navy; to the Committee on Military Affairs.

By Mr. NEELY: Petition of George T. Watson, Fairmont, W. Va., requesting that tax bill be kept down to \$4,000,000,000; to the Committee on Ways and Means.

Also, petition of J. Clyde Lewis, Grafton, W. Va., protesting against new tax bill being more than \$4,000,000,000; to the Committee on Ways and Means.

Also, petition of L. B. Brydon, Grafton, W. Va., requesting that tax issue be kept down to \$4,000,000,000; to the Committee on Ways and Means.

By Mr. NOLAN: Petition of San Francisco Chamber of Commerce and the Northern California Hotel Association, favoring the return of the railroads to private ownership; to the Committee on Interstate and Foreign Commerce.

By Mr. POLK: Petition of Local Lodge, No. 441, International Brotherhood of Boiler Makers, Iron Ship Builders, and Helpers of America, approving of Government ownership of railroads in the United States; to the Committee on Interstate and Foreign Commerce.

By Mr. RAKER: Petition of Northern California Hotel Association, urging the return of the railroads to private ownership; to the Committee on Interstate and Foreign Commerce.

Also, petition of San Francisco Chamber of Commerce, favoring the return of railroads to private ownership; to the Committee on Interstate and Foreign Commerce.

Also, petition of California Federation of Women's Clubs, indorsing the league of nations; to the Committee on Foreign Affairs.

Also, petition of Mississippi Valley Association, for the development of foreign and domestic trade; to the Committee on Interstate and Foreign Commerce.

By Mr. RANDALL: Petition of Central Labor Council of Los Angeles, Cal., protesting against construction of vessels for the United States Shipping Board in Japanese and Chinese ports by Asiatic labor and the consequent increase of unemployment in the United States; to the Committee on the Merchant Marine and Fisheries.

By Mr. STRONG: Petition of citizens of Brookville, Pa., favoring Government ownership of railroads within the United States and its possessions; to the Committee on Interstate and Foreign Commerce.

Also, petition of members of St. Nicholas Church, Mayport, R. F. D., Clarion County, Pa., favoring self-determination for Ireland; to the Committee on Foreign Affairs.

By Mr. TAYLOR of Colorado: Petition of citizens of Cimarron, Colo., asking for Government ownership of railroads; to the Committee on Interstate and Foreign Commerce.

Also, petition of Local Lodge No. 406 of the Brotherhood of Railroad Trainmen, of Colorado Springs, Colo., urging Government control of railroads; to the Committee on Interstate and Foreign Commerce.

SENATE.

FRIDAY, January 31, 1919.

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we come to Thee, the Changeless One, in whom there is no variableness, neither shadow of turning. Our little systems have their day. They have their day and cease to be. Thy law standeth sure unto all generations. Thy will concerning men is their happiness, their prosperity, and their peace. We worship Thee and put ourselves under Thy divine command. We pray Thee to direct us in the discharge of all the sacred duties of this high and holy office. For Christ's sake. Amen.

The Secretary proceeded to read the Journal of the proceedings of the legislative day of Tuesday, January 28, 1919, when, on request of Mr. SHEPPARD and by unanimous consent, the further reading was dispensed with and the Journal was approved.

SENATOR FROM WEST VIRGINIA.

Mr. SUTHERLAND. I present the credentials of Hon. DAVIS ELKINS, chosen by the qualified electors of the State of West Virginia a Senator to represent that State for the term of six years beginning on the 4th day of March, 1919, which I ask to have read and placed on the files of the Senate.

The credentials were read and ordered to be placed on the files, as follows:

THE STATE OF WEST VIRGINIA.

To all to whom these presents shall come:

This is to certify that on the 5th day of November, 1918, DAVIS ELKINS, of the county of Monongalia, was duly chosen by the qualified electors of the State of West Virginia a Senator from said State to represent said State in the Senate of the United States for the term of six years beginning on the 4th day of March, 1919.

Given under my hand and the great seal of the said State of West Virginia this 17th day of January, 1919.

JOHN J. CORNWELL, Governor.

By the governor:
[SEAL.]

HOUSTON G. YOUNG,
Secretary of State.

WAR EMERGENCY EMPLOYMENT SERVICE (S. DOC. NO. 365).

THE VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting a letter from the Secretary of Labor, submitting a supplemental estimate of appropriation in the sum of \$2,932,849.53 required by the War Emergency Employment Service for the fiscal year 1919, which, with the accompanying paper, was referred to the Committee on Appropriations and ordered to be printed.

TAX ON CHILD LABOR (S. DOC. NO. 364).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting a letter from the Secretary of Labor, submitting an estimate of appropriation in the sum of \$184,160 to carry out the provisions of that portion of the revenue bill now in conference which relates to the tax on the employment of child labor, which, with the accompanying paper, was referred to the Committee on Appropriations and ordered to be printed.

COST OF THE WAR (S. DOC. NO. 363).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of Agriculture, transmitting, in response to a resolution of December 15, 1918, a report giving full information and findings, as far as the Department of Agriculture is concerned, relative to the cost of the war with Germany and Austria, which, with the accompanying paper, was ordered to lie on the table and be printed.

WASHINGTON & OLD DOMINION RAILWAY.

The VICE PRESIDENT laid before the Senate the annual report of the Washington & Old Dominion Railway for the year ended December 31, 1918, which was referred to the Committee on the District of Columbia and ordered to be printed.

NATIONAL PROHIBITION.

The VICE PRESIDENT. The Chair lays before the Senate resolutions adopted by the Legislatures of the States of California, Iowa, Tennessee, and New Mexico, ratifying the proposed prohibition amendment to the Constitution of the United States, which will be placed on the files of the Senate.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House disagrees to the amendments of the Senate to the bill (H. R. 13274) to provide relief where formal contracts have not been made in the manner required by law, asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. DENT, Mr. FIELDS, and Mr. KAHN managers at the conference on the part of the House.

ENROLLED BILL SIGNED.

The message also announced that the Speaker of the House had signed the enrolled bill (H. R. 12001) to amend an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911, and it was thereupon signed by the Vice President.

VALIDATION OF WAR CONTRACTS.

The VICE PRESIDENT laid before the Senate the action of the House of Representatives, disagreeing to the amendments of the Senate to the bill (H. R. 13274) to provide relief where formal contracts have not been made in the manner required by law and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. CHAMBERLAIN. I move that the Senate insist upon its amendments and agree to the conference asked for by the House, the conferees on the part of the Senate to be appointed by the Chair.

The motion was agreed to, and the Vice President appointed Mr. CHAMBERLAIN, Mr. FLETCHER, Mr. THOMAS, Mr. WARREN, and Mr. KNOX conferees on the part of the Senate.

PETITIONS AND MEMORIALS.

The VICE PRESIDENT laid before the Senate a resolution adopted by the Legislature of the State of Alabama, petitioning Congress to retain the established school of training in the use of small arms and tanks at Fort Benning, in the State of Georgia, which was referred to the Committee on Military Affairs and ordered to be printed in the Record, as follows:

MONTGOMERY, ALA., January 30, 1919.

The PRESIDING OFFICER,
United States Senate, Washington, D. C.:

I, Fred H. Gormley, clerk of the House of Representatives of Alabama, do hereby certify that the following resolution has passed both houses and that the same has been signed by the proper officers. Copy of resolution H. J. Res. No. 23, by Mr. Waddell, memorializing Congress to retain the school of training in the use of small arms and tanks at Fort Benning, in the State of Georgia:

"Resolved by the House of Representatives of the Legislature of Alabama (the Senate concurring). That the Congress of the United States of America is hereby respectfully petitioned and memorialized to retain the established school of training in the use of small arms and tanks at Fort Benning, in the State of Georgia, and that a copy of this joint resolution be forwarded to each the Vice President of the United States, the President of the Senate, the Speaker of the House of Representatives, to each Senator from the State of Alabama, to each Senator from the State of Georgia, and to each Representative in the Congress from the State of Alabama and from the State of Georgia."

FRED H. GORMLEY,
Clerk, House of Representatives.

Mr. McKELLAR. I present a number of memorials from public bodies in Tennessee and two or three telegrams on the subject of turning back the telegraph and telephone to private ownership, which I ask may be printed in the Record without reading.

There being no objection, the memorials and telegrams were ordered to be printed in the Record as follows:

MEMPHIS, TENN., January 30, 1919.

Senator K. D. McKELLAR,
Washington, D. C.:

We, the undersigned business men of Memphis, earnestly request that you use your efforts toward turning the telegraph and telephone back to private ownership immediately.

Chappell Harris, A. R. Hudson, Wells & Gustafson, J. A. Evans, Jr., W. J. Britton, W. M. King, B. F. Powell, W. W. Barbour, G. K. Eckert, Leroy Cooper, B. P. Snyder, H. F. Arnold, W. R. Bond, F. D. Farabee, W. T. Cole, Irwin Leatherman Cotton Co., M. Mass, W. O. Pharr, M. Lowenthal, Thomas A. Goodwin, Gwynne Yenger, F. L. Page, W. A. Jones, Jr., A. J. Warwick, W. L. Oates, E. C. Sledge, Geo. W. Pease, J. A. Gorman, Tom P. Beane, J. A. Sprole, W. P. Maury, C. W. Loeb, C. H. Fried, W. A. May, W. M. Robinson, Jas. S. Patteson & Co., J. A. Brown, L. D. Falls, J. S. Williams, T. W. Carter, H. B. Weisiger, J. S. Dinsman, A. H. Campbell, Leo G. Carter, Geo. Williamson, A. A. Adams, Wm. Rhett, Fern Wood Mitchell, L. Eustis, C. L. Wilkinson, John A. Rawson, Ed Frohlich, J. A. Evans, J. W. Falls, T. H. Morris, W. H. Raney, W. D. Mallory, Louis M. Browne, John D. Massey, J. B. Hurt, J. F. Mathis Co., Porter Weaver & Co., J. H. Farrar & Co., G. E. Reid, J. F. Maury, H. B. Albro, J. S. Finley, R. P. Fargason, W. M. Drake, S. B. Wilson, F. A. Gaston, Shepard & Gluck, W. E. Richmond, manager, G. M. Schloss, J. P. McGhee, C. P. Twiford, V. M. Crooker.

JACKSON, TENN.

Whereas the extraordinary problems produced by the war and the coming reconstruction period render it extremely difficult, if not impossible, for the owners of the great wire systems now under Federal control to successfully resume the operation of the same without remedial legislation and the provision of some reasonable period in which to allow for the necessary preparation and readjustment; and Whereas to properly consider these problems will require more time than is available during the present short session of Congress; and Whereas unless some action is taken at this time the properties will be returned to the owners upon proclamation by the President of the ratification of peace treaties, without any advance notice and without any period for readjustment; and Whereas this would clearly be a manifest injustice to the owners thereof and a menace to the business interests of the country: Now, therefore, be it

Resolved, That this organization, the Jackson Association of Commerce, go on record as favoring the enactment by Congress of some law which will continue the control and operation of such utilities by the Government until Congress shall have studied the question and determined upon a proper and safe procedure to be thereafter followed. Be it further resolved, That a copy of this resolution be sent to the Senators of this State and to the Representative of this district.

THE JACKSON ASSOCIATION OF COMMERCE,
A. J. McGEHEE, Secretary.

WINCHESTER, TENN.

Whereas the extraordinary problems produced by the war and the coming reconstruction period render it extremely difficult, if not impossible, for the owners of the great wire systems now under Federal control to successfully resume the operation of the same without remedial legislation and the provision of some reasonable period in which to allow for the necessary preparation and readjustment; and Whereas to properly consider these problems will require more time than is available during the present short session of Congress; and Whereas unless some action is taken at this time the properties will be returned to the owners upon the proclamation by the President of the ratification of peace treaties, without any advance notice and without any period for readjustment; and Whereas this would clearly be a manifest injustice to the owners thereof and a menace to the business interests of the country: Now, therefore, be it

Resolved, That this organization, the Winchester Chamber of Commerce, go on record as favoring the enactment by Congress of some law which will continue the control and operation of such utilities by the Government until Congress shall have studied the question and determined upon a proper and safe procedure to be thereafter followed. Be it further resolved, That a copy of this resolution be sent to the Senators of this State and to the Representative of this district.

F. B. ALEXANDER, President.
T. A. EMBRY, Secretary.

COMMUNITY CLUB,
Gallatin, Tenn.

Whereas the great wire systems now under Federal control will be returned to the owners upon the proclamation of the President of the ratification of the peace treaties; and Whereas sufficient time is not available during the present short session of Congress for the proper consideration and solution of this great question as to what is the best course to take; and Whereas it would clearly be a manifest injustice to the public, the employees, and to the owners, as well as a menace to the business interests of the country, without some remedial legislation and the provision of some reasonable period in which to allow the study and careful consideration by Congress of a matter of such great importance and to make necessary arrangements and preparation for the readjustments that are sure to come in the proper settlement of this question: Now, therefore, be it

Resolved, That the board of directors of the Community Club, of Gallatin, Tenn., go on record as favoring the enactment of some law by the present Congress which will continue the control and operation of

such utilities by the Government until Congress shall have studied the question thoroughly and determined upon some proper and safe procedure to be thereafter followed; be it further

Resolved, That a copy of this resolution be sent to the Senators of this State and to the Representative of this district.

H. A. HOLDER,
President.

E. B. HOUSE,
J. T. BASKERVILLE,
L. M. ROSS,
T. S. PIERCE,
R. T. GUTHRIE,
OSCAR V. SMITH,
W. P. MORTON,
W. T. WALKER,
Directors.

MEMPHIS, TENN., January 29, 1919.

Senator KENNETH MCKELLAR,
Washington, D. C.:

For the best interest of the public I urge immediate return of telephone and telegraph companies to their owners.

W. G. CAVETT.

MEMPHIS, TENN., January 29, 1919.

Senator KENNETH MCKELLAR,
Washington, D. C.:

As a large user of the telegraph and telephone, I believe absolutely that it is to the interest of the business public to have the wire systems returned to their owners and operated by them immediately. Please do what you can to have the lines returned.

A. C. HUTCHINSON,
Foreign Freight Broker.

MEMPHIS, TENN., January 29, 1919.

Senator KENNETH MCKELLAR,
Washington, D. C.:

Use your influence to have telegraph and telephone companies returned to their owners at once. It will be greatly appreciated.

H. B. JONES.

MEMPHIS, TENN., January 29, 1919.

Senator KENNETH MCKELLAR,
Washington, D. C.:

For the best interest of the public we urge immediate return of telephone and telegraph companies to their owners.

R. G. & W. H. BELCHER.

Mr. THOMAS. I present two joint memorials of the Senate and House of the Legislature of Colorado on the subject of the drainage of the San Luis Valley in southern Colorado and for the adoption of reclamation projects for the benefit of returning soldiers and sailors, which I ask may be printed in the RECORD. The memorials were referred to the Committee on Irrigation and Reclamation of Arid Lands and ordered to be printed in the RECORD, as follows:

HOUSE OF REPRESENTATIVES,
STATE OF COLORADO,
Denver, January 27, 1919.

HON. CHARLES S. THOMAS,
United States Senate, Washington, D. C.

SIR: I am transmitting herewith one certified copy each of house joint memorials Nos. 2 and 3, in accordance with the terms thereof.

Respectfully,

HARRY P. MASON, *Chief Clerk.*

House joint memorial 2.

To the honorable the Senate and House of Representatives of the United States in Congress assembled:

Your memorialists, the General Assembly of the State of Colorado, respectfully represent that—

Whereas in the San Luis Valley, in southern Colorado, are 600,000 acres of excellent agricultural land that has become so water-logged for the want of drainage that one-half of it has become entirely unproductive and the other one-half largely so; and

Whereas prior to the time that these lands became water-logged they were occupied, cultivated, had an established record of great production, and have decreed water rights already available under constructed systems of distribution; and

Whereas the drainage of this land would release a very large amount of water, greatly enhancing the supply in the Rio Grande River for repeated use below; and

Whereas the situation in this area is such that little, if any, of the added supply of water gained from such drainage could be used in Colorado, but would be of vast benefit to the lands in New Mexico and Texas; and

Whereas surveys and sufficient drainage work has been accomplished in this locality to show that the project is not only feasible but that the supply of water returned would be so great as to make its value to the Government, cost considered, greater than any reclamation project so far constructed by it: Now, therefore,

Your memorialists, believing this to be a truly interstate enterprise of as much benefit to lands beyond our borders as it is to those within our State, most urgently recommend that the Reclamation Service be authorized and directed to proceed with the drainage of the San Luis Valley without delay.

It is directed that this memorial be enrolled and one copy sent to the President of the United States, one copy to the honorable Secretary of the Interior, one copy to the House chairman of the Committee on Irrigation of Arid Lands, one copy to the Senate chairman of the Committee on Irrigation and Reclamation of Arid Lands, and one copy to the Senators and Congressmen representing the State of Colorado.

This is to certify that the foregoing is a true and correct copy of house joint memorial 2, as passed by the Senate and House of Representatives of the State of Colorado.

HARRY P. MASON,
Chief Clerk of the House of Representatives of Colorado.

House joint memorial 3.

To the honorable the Senate and House of Representatives of the United States in Congress assembled:

Your memorialists, the General Assembly of the State of Colorado, respectfully represent that—

Whereas the honorable Secretary of the Interior has requested the immediate passage of a bill appropriating the sum of \$100,000,000 to be employed on reclamation projects for the benefit of returning soldiers and sailors; and

Whereas such an undertaking is not only commendable as a practical recognition of a patriotic service rendered, but alike meritorious, in that it would place unproductive land in the productive lists, a distinctly governmental function: Now, therefore

Your memorialists do advise, recommend, and request that the measure herein referred to be passed by your honorable body with the celerity that its merit justifies, and thus meet a situation that has already arisen, the importance of which is being daily emphasized at every American port of debarkation.

It is directed that this memorial be enrolled and one copy sent to the President of the United States, one copy to the honorable Secretary of the Interior, one copy to the House chairman of the Committee on Irrigation of Arid Lands, one copy to the Senate chairman of the Committee on Irrigation and Reclamation of Arid Lands, one copy to the Senators and Congressmen representing the State of Colorado.

This is to certify that the foregoing is a true and correct copy of House joint memorial No. 3, as passed by the Senate and House of Representatives of the State of Colorado.

HARRY P. MASON,
Chief Clerk of the House of Representatives of Colorado.

Mr. CHAMBERLAIN. I present a joint memorial of the Legislature of Oregon, which I ask to have printed in the RECORD and referred to the Committee on Military Affairs.

There being no objection, the memorial was referred to the Committee on Military Affairs and ordered to be printed in the RECORD, as follows:

House joint memorial 7.

To the honorable the Senate and the House of Representatives of the United States of America in Congress assembled:

Your memorialists, the Legislative Assembly of the State of Oregon, respectfully represent that—

Whereas there are many wives and families of soldiers and sailors in the State of Oregon who have failed to receive from the Bureau of War Risk Insurance of the Treasury Department of the Federal Government the allotments made unto them by said soldiers and sailors; and

Whereas many policies of insurance have been taken out by soldiers and sailors which have not been delivered by said bureau to the beneficiaries therein provided for; and

Whereas said bureau has in numerous instances either failed to answer inquiries of such beneficiaries with respect to allotments or policies of insurance and in many other instances have been dilatory and unsatisfactory in their responses, notwithstanding the fact that said bureau has a sufficiently large clerical force, reported to be in excess of 14,000 clerks and assistants; and

Whereas such conduct of said bureau would appear to be inexcusable and due to an unjustifiable system of red tape, apparent incapacity, and incompetency: Now, therefore, be it

Resolved by the house of representatives (the senate concurring), That our Senators and Representatives in Congress and the Congress of the United States of America be, and they are hereby, memorialized and requested to cause an investigation to be made as to the conduct of said bureau with respect to the matters aforesaid and to determine and fix the responsibility therefor, and that thereupon proper legislation be enacted to increase the efficiency of said department and to expedite the business thereof; be it further

Resolved, That the chief clerk of the house be, and he is hereby, directed to forward a copy of this joint memorial to each Senator and Representative from Oregon in the Congress of the United States.

Adopted by the senate January 23, 1919.

W. T. VINTON,
President of the Senate.

Adopted by the house January 21, 1919.

SEYMOUR JONES,
Speaker of the House.

I hereby certify that the foregoing house joint memorial 7 is a true copy as passed by the house and senate as above indicated.

W. F. DRAGER,
Chief Clerk of the House.

Mr. CHAMBERLAIN. I also present a joint memorial of the Legislature of Oregon, which I ask to have printed in the RECORD and referred to the Committee on Indian Affairs.

There being no objection, the memorial was referred to the Committee on Indian Affairs and ordered to be printed in the RECORD, as follows:

House joint memorial 1.

Whereas in 1894 the United States Government caused to be issued trust patents to the Indians to certain lands in the Siletz Indian Reservation, in Lincoln County, State of Oregon, with the provision and understanding that at the expiration of 25 years fee simple patents would issue to the Indian allottees in lieu of said trust patents; and

Whereas the 25-year period mentioned in the said trust patent has expired; and

Whereas the Indians on said former Siletz Reservation are practically all educated and competent to manage their own affairs, and all Government schools have been abandoned on said Indian reservation, and the Indians are attending the public schools of the county, situated on said reservation, which are kept up by taxes imposed upon the taxpayers of the State and county; and

Whereas said Indians are subject to the civil courts and practically all the criminal business concerning said Indians is had in the civil courts of Lincoln County, Oreg., at the cost of the taxpayers thereof; and

Whereas the said allotted Indian lands are not taxable, and the approximate valuation of said Indian lands is about \$2,000,000, and the cost and burden of Government has been transferred from the United States to State and county government; and

Whereas the people are taxed for the purpose of building roads through these lands, and the State and county receive no benefit whatever from said lands: Be it

Resolved by the House of Representatives of the State of Oregon (the Senate concurring), That we respectfully memorialize the Congress of the United States to enact a law authorizing and directing that patents in fee simple be issued to all the allottees of Indian lands or their heirs to whom trust patents were issued to lands within the boundaries of the former Siletz Indian Reservation, in Lincoln County, Ore.

Adopted by the Senate January 23, 1919.

W. T. VINTON,
President of the Senate.

Adopted by the House January 15, 1919.

SEYMOUR JONES,
Speaker of the House.

I hereby certify that House joint memorial No. 1 is a true copy as passed by the house and senate as above indicated.

W. F. DEAGER,
Chief Clerk of the House.

Mr. TOWNSEND presented a petition of sundry citizens of Port Huron, Mich., praying for the proposed extension of Federal control of railroads, which was referred to the Committee on Interstate Commerce.

Mr. MOSES presented a petition of Commodore Barry Council No. 533, Knights of Columbus, of Brooklyn, N. Y., praying for the freedom of Ireland, which was referred to the Committee on Foreign Relations.

Mr. CURTIS presented resolutions of the Kansas State Board of Agriculture, in session at Topeka, Kans., relative to the early discharge of soldiers, compulsory military training, continuation of Government-fixed prices, and reduced fares for harvest hands, which were referred to the Committee on Military Affairs.

He also presented a petition of sundry citizens of Lawrence, Kans., praying for the repeal of the present zone system of postal rates, which was referred to the Committee on Post Offices and Post Roads.

He also presented resolutions of Local Council No. 356, Amalgamated Sheet Metal Workers, of Parsons; of Local Lodge No. 462, Brotherhood of Locomotive Engineers, of Arkansas City; and of the Trades and Labor Assembly of Wichita, all in the State of Kansas, favoring the proposed extension of Federal control of railroads, which were referred to the Committee on Interstate Commerce.

He also presented resolutions adopted by Local Lodge No. 293, International Association of Machinists, of Parsons; of Local Lodge No. 880, International Association of Machinists, of Pittsburg; and of sundry citizens of Wichita, all in the State of Kansas, favoring Government ownership of railroads, which were referred to the Committee on Interstate Commerce.

Mr. LODGE presented resolutions adopted by the city council of Cambridge, Mass., favoring the granting of six months' extra pay to honorably discharged soldiers, sailors, and marines, which were referred to the Committee on Military Affairs.

Mr. SUTHERLAND presented resolutions adopted by the Chamber of Commerce of Charleston; of the Board of Commerce of Parkersburg; of the Chamber of Commerce of Sistersville; of the Board of Trade of Elm Grove; of the Rotary Club of Wheeling; of the Rotary Club of Weston; of the Business Men's Association of Morgantown; of the West Virginia Retail Clothiers Association, in convention at Wheeling; of the Lansing Telephone Co., of Lansing; of the Mount Cove Telephone Co., of Mount Cove; of the town council of Thurmond; of the Wetzel County Bank of New Martinsville; and of the Kiwanis Club of Wheeling, all in the State of West Virginia, favoring the enactment of legislation continuing Government control of public utilities until Congress shall have studied the question and determined upon a proper and safe procedure to be thereafter followed, which were referred to the Committee on Interstate Commerce.

DEMobilIZATION OF TROOPS.

Mr. JONES of Washington. Mr. President, I have received several letters in reference to the demobilization of troops, urging that the troops be sent to their homes before discharge. I received a letter from the secretary of the soldiers' and sailors' placement bureau regarding this matter. I referred it to the War Department. I think the answer of the War Department would be of considerable interest not only to my section of the country but elsewhere. So I ask that it may be printed in the RECORD. It explains the situation quite fully from the standpoint of the War Department.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

WAR DEPARTMENT,
OFFICE OF THE CHIEF OF STAFF,
Washington, January 28, 1919.

Hon. W. L. JONES,

United States Senate, Washington, D. C.

MY DEAR SENATOR: The Secretary of War directs me to acknowledge receipt of your communication of January 24, 1919, inclosing a telegram from Mr. Frank Gages, secretary soldiers' and sailors' placement

bureau, urging discharge of soldiers at their homes rather than near a large city, and to advise you that this matter has been given careful consideration by the War Department.

In order to accomplish what Mr. Gages suggests it would be necessary to establish at or near the homes of the men the necessary facilities for demobilization, including medical and other personnel for the purpose of preparing records, conducting physical examinations, and making final payment, and in addition maintaining facilities for housing and feeding men and furnishing hospital treatment, if necessary, while the soldiers were awaiting discharge.

To discharge men at a camp and send them to their homes for the receipt of their discharge certificate and final payment is unauthorized. The soldier is entitled to his discharge certificate and final payment at place of discharge. To discharge soldiers in camp and deliver their discharge certificates to them at that place and to send them to their homes for payment is equally unauthorized, since it infringes upon the rights of freedom of action of the discharged soldier, who may, as a matter of fact, desire to go to some place other than his home.

The suggestion has been received from time to time that the local draft boards might be utilized for the purpose of demobilization. You can readily understand that if the War Department, after the careful consideration which it has given to this problem, found that by handling demobilization through these instrumentalities the discharge of soldiers would be facilitated and the interests of the men and the Government would be protected, this method would have been utilized. It is believed, however, that the contrary is true. Under this system there would be as many demobilization centers as there are local draft boards, each with a more or less elaborate overhead, depending upon the number of men to be discharged.

The best solution, which was considered not only lawful but practicable, was considered to be arrived at by placing the men in a camp already established in or nearest the State from which they entered the service and there discharging them. This plan places men so near their homes that they may easily return thereto if they so desire.

An officer from the War Department recently visited Camp Dix, Wrightstown, N. J., which is located a short distance from New York City, and there found that of 1,200 men discharged in one day whose homes were within a radius of 350 miles of Camp Dix, 805 purchased their railroad tickets to place of induction or enlistment immediately after receiving their pay, the ticket office being at one end of the pay room. All men whose payment was witnessed had ample funds remaining after purchasing their tickets to pay all legitimate expenses.

It is appreciated that many men who have had the attractions of a large city unfolded before their eyes for the first time have a natural desire to see them. This is common to all men. It is believed, however, that those whose homes have been attractive to them, or those who have positions awaiting them at their homes, will in most cases return to their homes. On the other hand, it is quite reasonable to suppose that many young men who have been away from home for the first time and have found other places more attractive to them will not return to their former surroundings at all, while some, if they do return to their former homes, will not remain there permanently. It is believed that this condition could not altogether be modified, even though men were sent to their home towns and there discharged.

Thanking you for bringing this matter to the attention of the War Department, and assuring you that the present plan of demobilization was not arrived at until it was viewed from all angles, and with the interests of the Government, the soldier, and the general public in mind, I remain,

Sincerely, yours,

E. D. ANDERSON,
Brigadier General, General Staff,
Acting Director of Operations.

LETTER FROM FREDERICK A. BUSHEE.

Mr. THOMAS. Mr. President, I have received the following letter from one of my constituents in Colorado, and I deem it my duty to read it into the RECORD:

I was much surprised to see my name included in the list of persons holding "radical or pacifist views," which Mr. Stevenson presented to the Senate committee. Permit me to say that there is absolutely no reason for such a charge against me. I consider it a slander, and I want the matter made right. As Mr. Stevenson can not substantiate such a charge with any reasonable evidence, he should publicly retract his statement. I have been strongly proally from the beginning of the war and have been an ardent supporter of the war, and shortly after we entered the contest I offered my services to the Government. As to the question of radical views, I hold just about as radical views as President Wilson does. I voted for President Wilson and have actively supported him throughout his administration; and when Mr. Stevenson puts my name in a list of suspected persons he does not know what he is talking about. The Senate has no business to permit names to be printed as suspicious when they know no more about them than they evidently do about me.

I ask that you investigate this matter and if possible have my name taken from the list and set the matter right before the public. The error is likely to do me and the University of Colorado much harm.

The letter is signed by Frederick A. Bushee, who is a professor in the department of economics and sociology in the university of my State. I am not acquainted with Dr. Bushee, but I have a letter from Dr. Willard, of the department of history, whom I know very well and who testifies to the loyalty and political integrity of Dr. Bushee.

I should add that a day or two ago I called this letter to the attention of the chairman of the subcommittee having these investigations in charge, and he will insert it in the record of the investigations.

I do not care to comment further upon the incident, except to say that in view of the attitude taken by the Secretary of War regarding Stevenson, it would seem that that gentleman allowed his enthusiasm to get away with his judgment.

OLD RIVER DAM, TEX.

Mr. SHEPPARD, from the Committee on Commerce, to which was referred the bill (H. R. 7362) to authorize construction of a lock and dam in Old River, in the State of Texas, and the making of improvements enabling the passage of fresh water

from a portion of Trinity River above the mouth of Old River into Old River above such lock and dam, and for the protection of rice crops against salt water, reported it without amendment and submitted a report (No. 676) thereon.

PANAMA CANAL ZONE.

Mr. THOMPSON. From the Committee on Inter-oceanic Canals I report back favorably with amendments the bill (S. 5224) to prohibit intoxicating liquors and prostitution within the Canal Zone, and for other purposes, and I submit a report (No. 677) thereon. I have a letter from the general commanding the troops in the Canal Zone, which I should like to have made a part of the report, showing the importance of early action on the bill.

The VICE PRESIDENT. It will be so ordered, and the bill will be placed on the calendar.

SENATOR FROM MICHIGAN.

Mr. THOMPSON. From the Committee to Audit and Control the Contingent Expenses of the Senate I report back favorably without amendment Senate resolution 415, referring the petition of Henry Ford, contesting the election of Truman H. Newberry as a Senator from Michigan, to the Committee on Privileges and Elections, authorizing said committee to take possession of the ballots, poll books, tally sheets, documents, and so forth.

The VICE PRESIDENT. The resolution will be placed on the calendar.

LEGISLATIVE, ETC., APPROPRIATIONS.

Mr. UNDERWOOD. From the Committee on Appropriations I report back favorably with amendments the bill (H. R. 14078) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1920, and I submit a report (No. 679) thereon.

The VICE PRESIDENT. The bill will be placed on the calendar.

MISSISSIPPI RIVER BRIDGE AND TUNNELS.

Mr. SHEPPARD. From the Committee on Commerce I report back favorably without amendment the bill (H. R. 13143) extending the time for the construction of a bridge across the Mississippi River near and above the city of New Orleans, La., or for the construction of a tunnel or tunnels under said river in lieu of said bridge, and I submit a report (No. 675) thereon. I ask for the immediate consideration of the bill.

There being no objection, the bill was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That the times for commencing and completing the construction of a bridge authorized by the act of Congress approved August 8, 1916, to be built across the Mississippi River near and above the city of New Orleans, La., by the city of New Orleans, or for constructing a tunnel or tunnels under said river in lieu of the bridge, are hereby extended to two and five years, respectively, from the date of the approval of this act.

Sec. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

COLUMBIA RIVER BRIDGE.

Mr. SHEPPARD. From the Committee on Commerce I report back favorably without amendment the bill (S. 5316) granting the consent of Congress to the Wenatchee-Beebe Orchard Co. to construct a bridge across the Columbia River at or within 4 miles northerly from the town of Chelan Falls, in the State of Washington, and I submit a report (No. 674) thereon. I ask for the present consideration of the bill.

There being no objection, the bill was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to Wenatchee-Beebe Orchard Co., a corporation organized under the laws of the State of Maine, and its successors and assigns, to construct, maintain, and operate a bridge and approaches thereto across the Columbia River at a point suitable to the interests of navigation, at or near a point within 4 miles northerly from the town of Chelan Falls, in the county of Chelan, in the State of Washington, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

Sec. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

MISSOURI RIVER BRIDGE.

Mr. SHEPPARD. From the Committee on Commerce I report back favorably without amendment the bill (H. R. 13004) extending the time for construction of a bridge and for the maintenance of a pontoon and pile bridge by the Chicago, Milwaukee & St. Paul Railway Co. across the Missouri River at

or near Chamberlain, S. Dak., and providing additional requirements for the bridge to be constructed, and I submit a report (No. 673) thereon. I ask for the present consideration of the bill.

There being no objection, the bill was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That the times for commencing and completing the construction of the bridge authorized by section 1 of the act of Congress approved April 28, 1916, are hereby extended two and five years, respectively, from April 28, 1917.

Sec. 2. That if the bridge built under the provisions of said act shall be found, in the judgment of the Secretary of War, to be so construed that it does not reasonably meet the requirements for continuous and uninterrupted railroad traffic, then and in such event, he may order such changes as in his judgment may be necessary to make said bridge meet such requirements. All the privileges herein conferred and the right to maintain the bridge to be built hereunder shall cease and determine unless such changes as the Secretary of War shall direct shall be commenced within six months and completed within two years next following the date of service of such order.

Sec. 3. That the time during which the Chicago, Milwaukee & St. Paul Railway Co. was authorized to maintain its pontoon and pile bridge across the Missouri River at or near Chamberlain, S. Dak., by section 2 of the said act of April 28, 1916, is hereby extended for one year from date of approval hereof.

Sec. 4. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time and referred as follows:

By Mr. SHEPPARD:

A bill (S. 5486) to amend section 2 of an act entitled "An act to pension the survivors of certain Indian wars from January 1, 1859, to January, 1891, inclusive, and for other purposes," approved March 4, 1917; to the Committee on Pensions.

A bill (S. 5487) to authorize the city of Beaumont, Tex., the Neches Canal Co., and the Beaumont Irrigating Co. to construct and maintain a dam across the Neches River about 8 miles above the city of Beaumont, Tex.; to the Committee on Commerce.

By Mr. KNOX:

A bill (S. 5488) granting the consent of Congress to the Pittsburgh Junction Railroad Co. to construct a bridge across the Allegheny River at Pittsburgh, Pa.; to the Committee on Commerce.

By Mr. JONES of Washington:

A bill (S. 5489) providing for the investigation of certain lands in the State of Washington with a view to their reclamation; to the Committee on Irrigation and Reclamation of Arid Lands.

By Mr. TRAMMELL:

A bill (S. 5490) to authorize the Secretary of War, in his discretion, to deliver to certain towns and cities in the State of Florida captured German cannon and cannon balls or shells; to the Committee on Military Affairs.

By Mr. WEEKS:

A bill (S. 5491) authorizing the Secretary of War to donate to the city of Taunton, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. ROBINSON:

A bill (S. 5492) granting to certain claimants a preference right to purchase certain public lands in the State of Arkansas; and

A bill (S. 5493) authorizing local drainage districts to drain certain public lands in the State of Arkansas, counties of Mississippi and Poinsett, and subjecting said lands to taxation; to the Committee on Public Lands.

By Mr. CURTIS:

A bill (S. 5494) donating captured cannon and cannon balls to the city of Osage City, Kans.;

A bill (S. 5495) donating captured cannon and cannon balls to the city of Independence, Kans.;

A bill (S. 5496) donating captured cannon and cannon balls to the city of Emporia, Kans.;

A bill (S. 5497) donating captured cannon and cannon balls to the city of Hays, Kans.;

A bill (S. 5498) donating captured cannon and cannon balls to the National Guard at Liberal, Kans.; and

A bill (S. 5499) donating captured cannon and cannon balls to the Kansas Wesleyan University, Salina, Kans.; to the Committee on Military Affairs.

By Mr. CALDER:

A bill (S. 5500) to amend the act of June 3, 1916, entitled "An act for making further and more effectual provision for the national defense and other purposes"; to the Committee on Military Affairs.

By Mr. CHAMBERLAIN:

A bill (S. 5501) granting an increase of pension to Edward D. Hamilton; and

A bill (S. 5502) granting a pension to Joseph B. Doan; to the Committee on Pensions.

By Mr. CALDER:

A joint resolution (S. J. Res. 217) admitting into the United States 560 barrels of Spanish wine ordered by Luigi Bick, of New York City, before the passage of the food-control act prohibiting the importation of distilled spirits, the delivery of which was delayed on account of war conditions until after that act went into effect; to the Committee on Finance.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. LODGE submitted an amendment proposing to appropriate \$5,500 to pay Mrs. Natalie Summers, widow of Madden Summers, late consul general to Moscow, being one year's salary of her deceased husband, who died at his post of duty, intended to be proposed by him to the Diplomatic and Consular appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

Mr. CALDER submitted an amendment proposing to appropriate \$6,000,000 to enable the Secretary of Agriculture to join in the construction of a tunnel or tunnels under the Hudson River between Manhattan, N. Y., and some point in Hudson County, N. J., etc., intended to be proposed by him to the Post Office appropriation bill, which was ordered to lie on the table and be printed.

He also submitted an amendment providing that for the fiscal year ending June 30, 1920, each fourth-class postmaster shall be paid a sum not less than 20 per cent of his or her compensation under existing law, and not more than 25 per cent thereof as allowance for rent, light, and fuel, etc., intended to be proposed by him to the Post Office appropriation bill, which was ordered to lie on the table and be printed.

BREWING AND LIQUOR INTERESTS AND GERMAN PROPAGANDA.

Mr. OVERMAN submitted the following concurrent resolution (S. Con. Res. 29), which was read and referred to the Committee on Printing:

Resolved by the Senate (the House of Representatives concurring), That there shall be printed 10,000 copies of the hearings entitled "Brewing and Liquor Interests and German Propaganda," held before a subcommittee of the Committee on the Judiciary, United States Senate, in the second and third sessions of the Sixty-fifth Congress, pursuant to Senate resolution 307, of which 3,500 copies shall be for the use of the Senate, 6,000 copies for the use of the House of Representatives, and 500 copies for the use of the Senate Committee on the Judiciary.

FEDERAL TRADE COMMISSION.

Mr. JONES of Washington. I submit a resolution, which I ask may be read and lie on the table.

The resolution (S. Res. 431) was read and ordered to lie on the table, as follows:

Resolved, That the Federal Trade Commission be, and it is hereby directed, under the authority of the act entitled "An act to create a Federal Trade Commission, to define its purposes and duties, and for other purposes," approved September 26, 1914, to investigate, ascertain, and report to the Senate the facts relating to the production, manufacture, profits upon, and sale of milk products in the United States since January 1, 1914, with particular reference to the condensed-milk industry, its methods, practices, profits, and interlocking interests, and submit its recommendations to the Senate, for the prevention of fraudulent and discriminatory practices and unreasonable profits connected therewith, and also to investigate and report to the Senate to what extent the Food Administration fixed the price of milk and milk products, the fairness of such prices to the producers of the milk and to the consumers of the finished products, and what effect the prices fixed or the action taken by the Food Administration had upon the producers of the milk and the prices paid by the consumer for the manufactured products, and what relation to or interest in any particular line of the industry was held by any and all of the officials of the Food Administration who had to do with the price fixing of milk or milk products.

EMPLOYMENT OF ADDITIONAL CLERKS.

Mr. CALDER submitted the following resolution (S. Res. 432), which was read and referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That Senate resolution No. 75, agreed to on April 3, 1918, being a resolution authorizing the employment of an additional clerk by each Senator having no more than one clerk, one assistant clerk, and one messenger for himself or for the committee of which he is chairman for the remainder of the second session of the Sixty-fifth Congress, at the rate of \$100 per month, said compensation to be paid out of the miscellaneous items of the contingent fund of the Senate, and which said resolution was extended and continued, under authority of Senate resolution No. 328, agreed to on November 15, 1918, until the end of the Sixty-fifth Congress, be, and the same is hereby, further extended and continued in full force and effect until otherwise provided by law.

ORDER OF PROCEDURE.

Mr. NEW. Mr. President, if it is at this time in order, two or three days ago I gave notice that at the conclusion of the morning business the first day when the morning hour was ob-

served I would submit some remarks to the Senate upon the subject of the reorganization of the Army.

The VICE PRESIDENT. If there is no further morning business, the morning business is closed.

REORGANIZATION OF THE ARMY.

Mr. NEW. Mr. President, the time has come when Congress, the War Department, and the people must give serious thought to the reorganization of our military forces, if not to defining the future military policy of the country. That the War Department realizes the truth of this is evidenced by the fact that it several days ago submitted a plan for reorganization to the House of Representatives. After a brief discussion, which developed marked differences of opinion concerning its merits, the subject was passed over to the next Congress, which is well enough, for it is manifest that insufficient time remains of this session to digest and adopt a plan. Until Congress acts we must retain a considerable portion of our present force. In creating the Army now in the field it was expressly provided that it was for the emergency only, and that the period of service should be limited to a date four months after the signing of the declaration of peace, or as early as transportation home could be supplied the troops overseas. When this proclamation may be issued is of course a matter of doubt. It may be months away or it may come much sooner; events alone can determine that. It now appears that it is not imminent; but, Mr. President, 90 days ago there were few who anticipated the imminence of the armistice. Whenever it comes, the men now under arms have a right to assume that the law will be respected and observed and their Government's contract with them lived up to. If it is not, I fear we shall find ourselves with a dissatisfied and discontented lot of soldiers and, to put it mildly, an indignant and protesting lot of parents and wives in every walk of life from which those soldiers were drawn. Without reference to final proclamations, they all consider the war as over; they want their soldiers sent home, and any alteration of plans which will result in holding the boys in the ranks for a protracted period is not going to be received with favor. It will be well to bear that in mind.

But in the absence of a plan it is proposed, according to announcement, to provide by a paragraph in one of the bills yet to be considered authority for the President to retain indefinitely "as much of the present armed forces as he sees fit." I have not had opportunity to read the bill. The details of this proposition, assuming that there may be details, have not been given out, but if they work to the annulment of the four months' contract I unhesitatingly venture the prediction that they will prove far from popular either with the Army or the folks back home. Whenever the time comes for discharging the conscripted men and those who volunteered for the emergency there will remain in the Army of the United States only those who were in the Regular Army previous to April 6, 1917, and whose terms of enlistment have not then expired, a force utterly inadequate to cope with any real emergency, for the maintenance of a sufficient force in our island possessions and the Canal Zone, to govern our established posts, and to patrol the border.

Obviously, therefore, the adoption of a well-defined scheme to rehabilitate our armed forces is a prime necessity. And this brings me to what must be a very superficial consideration of the plan presented to the House committee. I have already said that I have not been privileged to read the bill, and I shall therefore confine myself to those features of it which have been given to the public through the newspapers and which I assume to have been correctly stated. Initially it provides for an army of more than half a million men—509,909, to be exact. Mr. President, I have always been and am still a believer in and advocate of real military preparedness. The enormous and excessive cost, the loss of time, and the unnecessary hardships to the men encountered in our latest effort, conceding to it the fullest measure of success to which it is entitled, all strengthen my conviction that preparedness is the part of wisdom. I believe with our greatest American tactician, Gen. Upton, who said in effect that "the nation which goes to war unprepared educates its statesmen at greater expense than its soldiers." But, sir, preparedness does not necessarily imply the permanent maintenance of a great standing army. For one, I do not believe an army of anything approaching the size of that contemplated in the War Department bill is either necessary or desirable. Moreover, unless I entirely misconceive the temper of the people of the United States, they will not have it; and, if they would, I do not believe it even remotely possible to obtain anything like a volunteer army of that size unless indeed we are to pay our soldiers a wage that would make the maintenance of such a force too burdensome from the standpoint of operating cost. The cost of maintaining such an army on the basis of the present emer-

gency pay will reach \$797,000,000; on the basis of pay before the war \$713,000,000, while the total expense of the universal military training plan would be only about \$450,000,000 for the training of 700,000 men annually.

But that, after all, is not the most serious objection to it. The chief objection is that it smacks too much of that very militarism which is righteously abhorrent to our national ideals and which we have denounced from every stump and housetop in the country. That is an army approximately as great as that maintained in the permanent establishment of Germany prior to its entrance upon the world war. It may be that the Secretary of War, who presented the bill, does not mean that a force of the size contemplated shall be made permanent; that he thinks the present extraordinary emergency is to endure indefinitely, and that the army to be thus created is to meet this condition only; but if that be the case it is a mere expedient. Even in that event it would partake largely of the character of a professional army.

What is needed is a fixed and permanent policy, something real, something at once definite, effective, sufficient. And, Mr. President, I confidently believe that this is easily attainable. In my opinion it is readily and comparatively inexpensively obtained through the adoption of the policy of universal military training.

Mr. President, the public mind needs to be disabused of whatever impression prevails in it that universal military training presupposes a large standing army. On the contrary, it presupposes the exact opposite. In case of war, it follows as a necessary sequence that the young men of the country must comprise its armies. Universal military training guarantees that the youth who is to be conscripted or who shall volunteer in such a case shall go prepared for the various phases of the ordeal he is to face rather than that he shall be taken unprepared and unfit. It provides the only guaranty against any occasion for the maintenance of a Regular Army of greater proportions than the country needs or is willing to support. Under the operation of this system the soldier is in reality a citizen, free to follow his chosen vocation except for the period required for his proper training. We should have at all times something like 200,000 men capable of being officers. This is about the number we have had in this war. They can be developed under the universal training system, and like the enlisted personnel they may be passed into a reserve force, subject to instant call if occasion requires.

At this moment the country is in condition to develop such a policy at less expense and to better advantage than ever before. The cantonments necessary are already in existence, and at comparatively small expense may be made to answer our needs for several years. To be sure there may be, and doubtless will be, some expense attached, in some instances, for the purchase of lands now under lease; but comparatively speaking, the outlay will not be great. We have great surplus stores of clothing, arms, munitions, much of which will deteriorate and become worthless within a short time and be a total loss if not used, and it might better be employed to a useful purpose than permitted to go to waste.

Far be it from me to detract by a single word from the amazing accomplishments of the American forces on land and sea in the great world war. Every American citizen feels a towering pride in all they did. Neither is it my present purpose to indulge in criticisms of administrations or of individuals for the lamentable state of unpreparedness in which our entrance into the war found us, but it is a matter of common knowledge and infinite regret that we were unprepared. Speaking in this Chamber a few days ago, the senior Senator from Pennsylvania made reference to troops from that State who were sent into battle without having been previously taught the use of the weapons they bore. What is true of them is equally true of the troops from other States. Few of them had ever seen machine guns until they were forced to face them, so few that it was pathetic. It was the inevitable consequence of our smug complacency. It could have been prevented in this instance; it must be in the next, if there is to be a next, and no idealistic dreams of leagues of peace and the brotherhood of man convey guaranties that there will not be, and even if made, no league of nations can be made effective without a force sufficient to enforce its decrees. Unless occasion comes, the citizen army need never be mobilized, but its members will have had the benefits that accrue from judiciously applied physical training, of discipline, and the improved conception of the obligations of citizenship that military training brings.

Mr. President, by the passage of legislation providing for the selective draft we affirmed the military obligation of our citizens. They are under the obligation to fight for our country in its need, but under this obligation they have acquired correlative rights;

their fathers, their mothers, their children, and their wives demand that we shall not send them naked and untrained against the foe.

We have proclaimed their obligations. I affirm their right of preparation to fulfill those obligations.

We are now called upon to pass emergency legislation to meet the military conditions abroad. We are called upon to replace emergency legislation by further emergency legislation, but with the expiration of this emergency the provisions of the new legislation must also expire. As matters stand to-day, within four months after the date of the proclamation of peace we shall have no army. Extend the provisions of the existing law, and again there will come a date when the system created by it will cease by legislative limitation. Let us confront the facts. We do not know what obligations are being prepared for us in Paris, but we do know that we have duties toward ourselves and toward posterity. It may be well to make the world safe for democracy. Let us first make it safe for ourselves.

On February 7, 1918, the present Secretary of the Treasury, Mr. Glass, stated in the House of Representatives, of which he was then a Member, that—

The truth of the matter is that for a century and a half we have emphasized the single warning of Washington against "entangling alliances abroad" and sadly neglected his admonition about a sane preparation against war. Our aversion to a large standing army is traditional and constitutional, bred in the blood and bone of successive generations. The whole policy of the Nation for all these years has been antagonistic to preparation. No one group of men is to blame. No one political party above another is to be censured. Indeed, now in 1918 some of the most frantic protestants against our plight share tremendously the responsibility for our condition.

This is a national issue, and I am firmly convinced that now—not at some nebulous future indeterminate date—is the time to come to a decision concerning our military policy for the future. To-day we can take advantage of the experience which has been gained and continue the application of its lessons. To-day we can come to a decision concerning the employment of the sites and material which during the present emergency has passed into the possession of the United States. Demobilize completely, and it will be too late. We shall have to start all over again, and I, for one, am not willing to permit the loss of what we have gained.

Mr. President, I would again repeat my opposition to a large professional army. Holding these views, I have prepared a bill providing for the adoption of a system of universal military training. I have given the subject much thought, and in the preparation of the bill have taken counsel of military men in whose judgment I place reliance, and yet I wish to frankly state that I regard the bill as the nucleus only for a complete system. If I may have unanimous consent for its introduction at this time, out of order, I will send it to the desk for reference to the Committee on Military Affairs, to which I would add that I shall in turn ask the committee to refer it to the General Staff of the Army, with the request that it make a detailed study of the subject and report it back to the committee as soon as it consistently can, with such amendments, alteration, or substitutions as it may deem necessary and consistent with the country's needs.

In conclusion I want to say that I thoroughly agree with the Senator from New York [Mr. WADSWORTH], who said in his very admirable address of a few days ago that the general staff of the American Expeditionary Forces should be consulted with reference to this matter. They are the men who have commanded this great Army of ours and the only men living who have had the actual experience qualifying them to give dependable, expert opinion as to the real merits of this question. No plan that may be considered will be complete until it has been submitted to them, and I shall ask that they be consulted with reference to this one of mine in conjunction with the General Staff. It may not be necessary to await their return to the United States. Their recommendations may be forwarded here. Representatives of the General Staff may easily go over for conference with them and the courier service be employed for full and frequent exchange of views. It is unlikely that the question can be considered in the limited time remaining to this session, but I shall ask that the report shall in that case be made to the Military Affairs Committee of the next Senate in order that no time may be lost and the day for action thereby much advanced.

Mr. KNOX. Mr. President, may I ask the Senator a question? Mr. NEW. Certainly.

Mr. KNOX. I should like to know from the Senator whether in forming his judgment as to the size of the Military Establishment that should be maintained by the United States he has taken into consideration the recent developments at the Paris peace conference, by which it is proposed that the United States shall take over, as a sort of receiver or trustee, all of the German colonies, and, what is even more startling, I see by

this morning's New York Tribune, a copy of which is lying here on my desk, that it is the plan of both Great Britain and France that the United States is to become the guarantor of the peace of the world, and that the peace of the world is to be maintained by the forces of the United States?

Mr. NEW. Well, Mr. President, I think if we are to engage in that kind of a program we shall need a system of universal military training to apply to a great many more than the oncoming youth and young manhood of the country.

Mr. President, I send to the desk the bill to which I have referred, and ask that it be printed at the conclusion of my remarks and that it be referred to the Committee on Military Affairs.

The bill (S. 5485) to provide for a system of universal military training and to improve the manhood and citizenship of the youth of the United States was read twice by its title, referred to the Committee on Military Affairs, and ordered to be printed in the RECORD, as follows:

Be it enacted, etc., That all male citizens over 18 years of age, or those persons who have declared their intention of becoming citizens of the United States, capable of full or modified military service, shall be trained for the land and military forces of the United States for a single period of not to exceed one year, under such regulations as the President may prescribe: *Provided*, That under no circumstances shall the training period be divided into two or more periods, but that such period as determined upon shall be continuous.

SEC. 2. That liability for training under this act shall not begin before the nineteenth year, and shall not terminate until the end of the twenty-sixth year, for all males liable under section 1 of this act, except for those who have taken their training in some one year of this period or who have been excused as hereinafter provided. Training should be given preferably in the first year in which liability for training becomes effective, i. e., the nineteenth year.

SEC. 3. That no one liable for training under section 1 of this act shall be excused from training unless he is the sole support of parents, wife, or child, and then only in the event that equivalent support to dependents is not provided by the Congress: *Provided*, That such equivalent shall represent the net contribution made to the support of dependents in the case of each youth liable under this act.

SEC. 4. That the President be, and hereby is, authorized to divide the territory of the United States into such training zones or districts as may be necessary for the purposes of this act.

SEC. 5. That the President is hereby authorized to appoint such boards as may be found to be necessary for the purpose of registering and examining all persons of training age, and that such boards, under regulations to be prescribed by the President, shall pass upon all applications for exemption from training for any particular year: *Provided*, That any person exempted is not relieved from liability under this act, but must come again at the next registration for examination, and if the disability under which he was first excused has disappeared he shall then be certified for training; but if this disability still obtains he is to be exempted as before, and so on until the end of the twenty-fifth year, when he shall automatically pass into the unorganized militia.

SEC. 6. That all persons trained under this act shall automatically become members of the national reserve, without compensation, upon the completion of training: *Provided*, That each class so graduated into the national reserve shall be given a number, and that the youngest class, in the event of necessity, be called first.

SEC. 7. That all members of the national reserve shall be liable to service by classes in time of war or other grave emergency, and that these classes be called in rotation, as provided in section 6 of this act.

SEC. 8. That the notice of the time and place of examination and training or service shall be deemed to have been made known to all persons liable under this act when such notice is issued by proclamation by the President, and shall be deemed sufficient to bring within its provisions and penalties all persons liable under this act.

SEC. 9. That training is a duty of citizenship, and no person liable under this act, while in training, shall receive pay, but shall be entitled to subsistence, clothing, transportation, laundry, medical attendance, shelter, and such other allowances as may from time to time be established: *Provided*, That a gratuity of \$5 per month be, and hereby is, granted to each member while in training.

SEC. 10. That 20 per cent of commissioned and other grades necessary for training shall be permanent, but 80 per cent shall be temporary, and for not more than a period of three years: *Provided*, That all temporary grades for the training period shall be filled by appointment only from men that have had training as prescribed in this act: *And provided further*, That all persons serving in the land and naval forces since April 6, 1917, shall be considered as having had training as contemplated by this act: *And provided further*, That no temporary commission shall be to a higher grade than major or lieutenant commander.

SEC. 11. That at the end of all temporary service all commissioned, noncommissioned, and enlisted personnel shall be passed to the national reserve with the grade for which their individual service has demonstrated them to be fitted.

SEC. 12. That all members of the national reserve called to the colors for service shall receive transportation and subsistence to the point of mobilization, and from date of reporting at such mobilization center, and during the period of service, they shall receive the same pay and allowances as established for corresponding grades in the regular land and naval forces.

SEC. 13. That any person or persons, combination of individuals, corporation, firm, partnership, or association evading, aiding, or abetting in the evasion of any provision of this act shall be considered guilty of a misdemeanor, and upon conviction by a competent tribunal therefor shall be punished by a fine of not more than \$5,000 or imprisonment for not more than five years, or both.

Mr. LODGE. Mr. President—

The VICE PRESIDENT. Does the Senator from Indiana yield to the Senator from Massachusetts?

Mr. LODGE. I thought the Senator had yielded the floor.

Mr. NEW. No; I thought the Senator desired to ask me a question.

Mr. LODGE. I was going to ask a question in connection with what the Senator from Pennsylvania [Mr. KNOX] has said. I have seen these dispatches, and apparently we are going to take a part in managing the German colonies in South Africa and also the Pacific Islands. I wanted to ask the Senator from Pennsylvania, as he asked his question in regard to the Army, whether he understands that we are to use American troops to keep order in the Kameruns and in East Africa?

Mr. KNOX. Certainly. Otherwise how could we maintain order? Those people can not be ruled by moral suasion.

Mr. LODGE. Well, the conception is that we are going to rule them by moral suasion, I suppose, is it not?

Mr. KNOX. That perhaps may be the theory; but we all know that in uncivilized countries, such as those that have been mentioned by the Senator from Massachusetts, force is the only factor by which peace can be really and permanently secured, and, besides, it is not a question of the number of troops we may have to send to the German colonies in South Africa. It is avowed here in this dispatch, which is signed by Arthur S. Draper and published in the New York Tribune of this morning, that—

The situation is as follows:

1. Great Britain and France, especially the former, are working to get America committed to the policy of expansion and endeavoring to shoulder upon the United States a large measure of the responsibility for preserving world peace.

2. The European great powers are strongly supporting the league-of-nations scheme, because through it they see the possibility of drawing America out of what they term her "splendid isolation."

3. Territorial questions have become of secondary importance to the European great powers. The same is true of indemnities.

4. Russia is the allies' great worry, America their greatest hope, bolshevism and the general unrest of Europe being the predominating influences in the peace congress.

5. The Far Eastern question is hardly less difficult of solution than the remaking of Europe.

One can scarcely read this without reaching the conclusion that if it is true it is the purpose of the allied powers not only to allow us to conduct operations in the German colonies and take them over under a trusteeship or receivership, as I said a moment ago, but that the burden of the maintenance of the peace of the world is to rest upon us. If that is true, of course, there is no army which this country could raise that would be sufficient for such a purpose; and there is no burden of taxation that could be laid upon the people of the United States that would be adequate to maintain such a force.

I hope that these stories are not true; I can not believe, Mr. President, that they can be true; I can not believe that, without consulting the Congress of the United States, without consulting the members of the committees that have charge of these special matters, without consulting the people, the United States can be pledged to any such stupendous and preposterous undertakings.

Mr. LODGE. Mr. President—

Mr. VARDAMAN. May I ask the Senator from Pennsylvania a question just at that point?

Mr. LODGE. I believe I have the floor.

Mr. VARDAMAN. I merely wish to ask, admitting that the stories are true, does the Senator think it is remotely possible that the Senate shall be so neglectful of the interests of the American people as to approve a treaty containing such provisions?

Mr. KNOX. Mr. President, if I may be permitted to answer that question, of course, it is the wildest kind of guessing as to what the Senate will do. I have made a futile effort to try to get the Senate to express an opinion on two or three fundamental propositions to which I did not suppose there was any objection, but I can not even get the matter out of the Committee on Foreign Relations.

Mr. LODGE. Mr. President, I asked that question of the Senator from Pennsylvania. Of course, if the Senator from Indiana has not concluded, I will withhold what I was about to say.

Mr. NEW. I have concluded.

Mr. LODGE. I was glad that the Senator from Pennsylvania called attention to this matter. I have felt from the beginning that the important thing to do, the one thing to do, was to make the peace with Germany, and I was prepared to have the United States do everything that was necessary to carry out that peace. Instead of that the time has been spent over there in discussing questions not one of which has been essential to the making of peace with Germany, ending the war, getting a proclamation of peace, and enabling us to bring our men home and put an end to all this legislation which hinges on the proclamation of peace. And now, Mr. President, come these reports of the last two or three days, some of which seem to me absolutely unbelievable.

I know that the dispatches are colored, almost all of them colored for a certain defined purpose; and yet it seems in-

credible that some of the things should be pure invention. We apparently are being involved in some sort of guaranty, either with force or without force, to take care of the German possessions in Africa and in the Pacific Ocean. We seem to have involved ourselves already in serious differences with the Australians and the Boers of South Africa—populations with which we have always been most friendly and sympathetic. Our good relations with Australia are of enormous importance. I do not know exactly what we are doing, but we seem to be annoying them very much; and in some method we are apparently going to guarantee and sustain and watch over republics or States made up of Bantus and Hottentots, and we are to be meddling with it all the time in an indefinite future.

I do not think the safety of the world, or the making of peace, which is our first duty, is concerned very much with what happens in Africa and in New Guinea and in the Marshall Islands and in the Caroline Islands. We must protect our own interests there, which consists of the Island of Guam; that is a different thing; but apparently we are to be invited to take part in the management of all those territories.

I say these things with hesitation, because I do not know what the facts are. The Senate is kept absolutely in the dark. It has nothing to go upon except these casual dispatches; and I merely express this as the feeling of one person who takes a great interest in it, who wants to see peace made with Germany and proclaimed, and thus give us the opportunity to go to work here to readjust the really grave situation which exists in this country in regard to industry and business and bring the war to an end; and yet we are entertained with discussions about the Kamerun and New Guinea and quarrels with the Australians.

I wish we could have some explanation from an authoritative source.

Mr. THOMAS. Mr. President, may I ask the Senator a question before he takes his seat? I fully agree with the Senator that the primary duty of the conference in Paris is to settle the terms of a treaty of peace with Germany; but I want to ask the Senator whether he does not think that one of the indispensable elements involved in the making of that treaty is the disposition to be made of the German colonies?

Mr. LODGE. I think the German colonies ought to be taken away from Germany. I have said that over and over again.

Mr. THOMAS. I know the Senator has.

Mr. LODGE. And they can turn them over to the people who captured them, who are the Boers of South Africa, if the allies and the United States take the African colonies from Germany, or to the Australians, in the case of the South Sea colonies, under suitable guaranties. But should we hand them over to a league of nations not yet in existence, why should we be involved in guaranteeing them for an indefinite future?

Mr. THOMAS. Aside from that question, which is a debatable one, does the Senator think that these colonies should be arbitrarily disposed of to the particular nationalities which captured them?

Mr. LODGE. Personally, I think that all that concerns us is to see that they do not go back to Germany, and that in that way a barrier is established against German aggression.

Mr. THOMAS. But that is a common duty to every party to this treaty.

Mr. LODGE. But to say that we must see that they are properly disposed of is one thing; to make an agreement that we shall look after them for all the rest of time is another.

Mr. THOMAS. Oh, I am not entering into that subject at all. I do not know but that I am in sympathy with the Senator in regard to that, but one of the complications which seems to me to be immediately before this conference is the disposition that shall be made of these colonies and possessions, one of the most serious of which is the German principality in China, which was captured, as the Senator knows, very early in the war by Japan. Now, China demands the return of Kiaochow to her, not only upon the proposition that it is part of her territory but also upon the assurance of Japan that her purpose in wresting the colony from Germany was ultimately to restore it to China. Certainly the Senator will not go so far as to say that our commission in Paris is not interested in the disposition ultimately to be made of that important principality.

Mr. LODGE. Far from it, Mr. President. I think the question of China and Japan is one of the most momentous there is and concerns us in the most direct way. I have not mentioned that question at all.

Mr. THOMAS. I am not at all in sympathy, as I am now advised, with the notion that we are to enter into an agreement for administering these colonies, but I do think that the disposition of them is one of the vital elements entering into a treaty with Germany.

Mr. LODGE. I think we might dispose of them, and it seems to me that these wild tribes are to be under somebody's control. I do not believe they can form a government.

Mr. THOMAS. There is no question about that, in my judgment.

Mr. LODGE. My disposition would be to put them under the control of the South African Republic, but what I am objecting to is this launching out on an indefinite guaranty, we do not know exactly what, which involves eternal meddling in the affairs of Africa. There are other questions which concern us very nearly and which are of great moment and which will require all the strength we have and all the intelligence we have to deal with them, but I do not think New Guinea and South Africa are in that list.

Mr. BORAH. Mr. President, we seem to be discussing this matter without sufficient information. I trust that the Senator from Massachusetts and the Senator from Pennsylvania will realize that one of the most necessary things in regard to it is open negotiations, open covenants of peace, openly arrived at, so that we may know before we discuss the matter what the real facts are.

Mr. LODGE. The Senator does not mean to imply that we are not having open covenants?

Mr. BORAH. I understood the Senator to say that the trouble of it was that we did not know what the facts were.

Mr. LODGE. That is the trouble with me.

Mr. BORAH. That is precisely the trouble with the whole situation.

Mr. JOHNSON of California. Mr. President, I desire to call to the attention of the Senator from Idaho and the Senator from Pennsylvania the very crux of this situation, and that is found in the communique that was yesterday given out by the peace conference in Paris. Permit me to read to you what it has to say, and permit me to call to the attention of my brethren upon the other side of the Chamber the knowledge that is accorded us of what is transpiring abroad. Here is the portion dealing with the German colonies and Turkey, concerning which, the correspondents assert, the most momentous decisions were made yesterday.

In the afternoon—

I am reading now the official communique—

In the afternoon satisfactory provisional arrangements were reached for dealing with the German colonies and the occupied territory in Turkey in Asia.

The Senate of the United States and the people of the United States are singularly fortunate in having the illuminating news sent by the delegation who represent democratic America that satisfactory arrangements yesterday were made by their peace commissioners in Paris. Just think of it, Mr. President, when we emblazon to the world that this democracy speaks with frankness, that it believes in open covenants of peace, openly arrived at, and that we will not tolerate under any circumstances secrecy in arriving at those peace terms, how fortunate we are to know that yesterday "satisfactory arrangements" were made for dealing with the German colonies and with Turkey in Asia. The correspondents tell us—I do not comment upon that, because I do not know whether it be accurate or not—that those satisfactory arrangements were that American troops should take care of these German colonies and should take care of Turkey in Asia.

I amount to little in this body; my voice will not carry far; but there will be one vote in this body when the treaty comes to us that never will vote for American troops to take care of Turkey in Asia or German colonies in Africa.

Mr. WALSH. Mr. President, the discussion to which we have listened was precipitated by an inquiry addressed by the Senator from Pennsylvania [Mr. Knox] to the Senator from Indiana [Mr. New] as to what increase we would need in our Military Establishment if the United States should undertake as the mandatory of the league of nations supervision of all the German colonies. I can not conceive that our commissioners at the peace conference will ever undertake to impose upon the Government of this country any such burden, and I apprehend that any alarm concerning any such condition as that will probably be found to be without much foundation.

But, Mr. President, it is not so serious a matter, so far as the Senator's question is concerned, as might seem, namely, the question of what increase in the Military Establishment would be requisite in such an event, because the governments controlling colonies in Africa practically supply only the officers of the military establishment they maintain there; the rank and file are native troops.

I had a very interesting interview with a distinguished English officer, who had fought in the Kamerun, while he was in this country recuperating from malaria which he had contracted in

the English service in the war in that section. He tells me that all the English troops as well as all the German troops opposed to them were native blacks.

In "In the Fourth Year," by Mr. Wells, a book which has been repeatedly referred to in the discussion of the general question of a league of nations on the floor here, he adverts to the real peril that there exists to the world in the possible militarization of the natives of the Dark Continent. He says:

The first most obvious danger of Africa is the militarization of the black. Gen. Smuts has pointed this out plainly. The negro makes a good soldier; he is hardy, he stands the sea, and he stands cold. (There was a negro in the little party which reached the North Pole.) It is absolutely essential to the peace of the world that there should be no arming of the negroes beyond the minimum necessary for the policing of Africa.

Mr. President, I do not advert to this condition of things for the purpose of making more tolerable the idea that we should become the mandatory over the African Provinces. I rather desire to suggest to the Senate that the solution of the troublesome problem of the German colonies in South Africa is nowhere near so simple as one might gather from the remarks of the distinguished Senator from Massachusetts [Mr. LODGE], the ranking minority member of the Committee on Foreign Relations. Those colonies are adjacent to territory claimed by four rivals among the allies—Great Britain, Belgium, Portugal, and France. The Senator from Massachusetts would, were he intrusted with the duty of devising a plan for their disposition, solve it by turning them over to the Boer Republic. I apprehend that solution would be entirely unsatisfactory to either France, Belgium, or Portugal. I undertake to say that it would be rather difficult to divide up those territories in such a way as to be entirely satisfactory and quite objectionable to assign them all to any single power.

It may be that the plan of putting them in trusteeship may not work; but, Mr. President, if it should be entered upon I feel entirely confident that the American commissioners will assume no such burden as that for the United States, unless it is absolutely impossible to escape it. Doubtless some power more directly interested will be found ready to assume the responsibility.

Mr. LODGE. If the Senator will allow me, will he tell me on what authority he says France, Belgium, and Portugal would resist it?

Mr. WALSH. I do not say that they do.

Mr. LODGE. I mean resist giving East Africa to the Boer Republic?

Mr. WALSH. I do not say that they are resisting it. I say I apprehend that they would.

Mr. LODGE. I thought the Senator said that they were.

Mr. WALSH. No; but the Germans have the Kameruns, and they have southwest Africa and southeast Africa.

Mr. LODGE. I understand, and the French will take control undoubtedly of some of these western colonies, the Kameruns, probably; but I have not heard that France or Portugal or Belgium were making any resistance at all. The objections that have been published in the papers—and I know how inaccurate dispatches are—state that Australia and South Africa are resenting very much this attempt to take the adjoining territories and put them in control of a league of nations, to be policed by the United States and other powers.

Mr. WALSH. I understood the Senator said so, but—

Mr. LODGE. I do not know that that is correct.

Mr. WALSH. The Senator seems to think that the disposition of the German-African colonies is a very simple matter. It would occur to me as a very troublesome problem.

Mr. LODGE. I do not say that it is a simple matter. I think it is one that should be decided without involving us in more negro problems.

Mr. LEWIS. Mr. President, I beg the Senate to indulge me for a contributive thought not particularly impressive, but which I feel should be stated as most appropriate.

It is very natural that the Senator from California [Mr. JOHNSON], the Senator from Idaho [Mr. BORAH], indeed the Senator from Massachusetts [Mr. LODGE], however much they may have occasion to doubt the absolute accuracy of the reports, were influenced by them. This because it is natural that any of us would be influenced by first information we have which appears to come from an authoritative source.

Mr. President, I would not like to have the United States impressed with the belief at this time merely from these reports that Woodrow Wilson, President of the United States, has really entered into any kind of a final understanding that would take one set of people without a voice from them in any way whatever and hurl them into some community lap as one would throw peas and potatoes in a market basket to be thereafter

carted away and distributed to such beneficiaries as may bid for them.

One of the very fundamental doctrines which President Wilson announced to this body in the presence of both Houses as one of the basic things for which he purposed contending for in our name was that there should be no trading of peoples without a voice from them and no sovereign humanity bartered at the dictation of some people and transferred without a voice from them or an expression of their will in their behalf.

It may be as the report comes to us accurate that an arrangement has been made. I assert that if such be true it is one by which these people or these colonies are to be transferred to a form of temporary government spoken of as a league of nations. Mr. President, I will not subscribe at this time to the belief that the United States, through its emissaries, have really violated that fundamental, humane promise and pledge, which was given in behalf of this country time and time again, opposing the transfer of peoples to sovereignties not of their consent or concerning which they did not have a voice.

I rather beg to say that I assume, when we come to investigate this question, it will be found that what the agreement really is is that temporarily the administration of the colonies is transferred to the concentrated order or combination of nations called a league merely for the purpose of a temporary administration of a people now without head, government, or sponsors until there shall come the opportunity to make such disposition as their permanent welfare would disclose as necessary. I am unwilling for myself, Senators, to believe that at this time and up to this moment the United States has pledged itself to any permanent distribution of these colonies and the transfer of these people and of their fates into the hands of other nations without a voice from those who are affected and whose destinies are cast in the balance.

Mr. President, the eminent Senator from Montana [Mr. WALSH] called attention to a problem which, as he says, is brought about by the inquiry of the able Senator from Indiana [Mr. NEW] in respect to what military force would be called into action if we were to assume the administration or domination of these colonies.

Mr. President, I agree with the observation of the Senator from Montana. I do not feel the time will ever come when this Government will be called into the adoption of some military army for the purpose of administering these colonies of Germany or any other foreign territory.

There will come a time, Senators, as I behold it, when if there shall be an arrangement for the policing of nations and the avoiding of war, this for the entrenching and establishment of peace, to this purpose I urge that to each continent there be left the question of controlling its own local or internal affairs. For myself I certainly feel that now is the moment to say that there ought not to be any disposition on the part of America to indicate to the European or the Asiatic Hemispheres that we are ready to have either of those come into this continent and to merely police purely local difficulties and local disturbances on this continent, nor will we inject and intrude ourselves on other continents for similar purposes as against them.

I make bold to offer a suggestion for reflection, for I will not interfere more than a moment with the eminent chairman in control of the Post Office appropriation bill. It is this: Public report tells us that the German Navy is now in the balance as to the disposition of it. Let me suggest, sir, that instead of a military force being proposed as a police agency the German Navy be not given to any one of the victors, but that if the league of nations be constituted and be brought into action upon any permanent basis the German Navy be turned over to it as its police force, to be administered by it and used there in Europe or in a foreign continent wherever necessity would justify that use, and that that be the police agency. We thus neutralize that navy. It becomes no property of any one victor. It awakens none of the rivalry and resentment which will surely follow by attempting to give it to any one victor nation as against another.

By this we do not assume to distribute among ourselves other nations or peoples to control this navy. We leave this navy intact as a police power and avoid the result of difficulties which the Senator from Indiana and the Senator from Massachusetts would clearly call up by their suggestions. In this way we avoid the militarism of either blacks in Africa or whites in America or in any other country.

I merely rose to say that which I reassert: That I can not accept in behalf of this country as a verity and an established fact that President Wilson has in behalf of this Nation agreed to

any permanent policy of transferring any people, of colonies or elsewhere, into the sovereignty of any other nation without any voice from them or any consideration of their personal welfare, from the consideration of their interests and without an expression of their own will.

I thank the Senate for allowing me to intrude.

Mr. KIRBY. Mr. President, I think the occasion warrants a short expression from me that seems to be needed here.

We have fought this war and won it. We have expended over \$30,000,000,000 in waging it. We have had 263,000 of our men slain yonder on the battlefields of France or cut to pieces and crippled for life. The war has been won. And for what? Did we fight Germany, I will ask the distinguished Senator from Massachusetts, that the South African possessions should be given to England? Did we fight the central powers that Alsace-Lorraine should be given to France? Did we fight the central powers and conquer them for that purpose? For without our going into the war the allies were absolutely powerless to prevent their own subjugation; they were already beaten by the German forces. Did we fight and win the war to give Trieste and Trent back to Italy, or did we fight and win the war to give the Chinese provinces to Japan?

The learned and distinguished Senator from Massachusetts does not know everything; he admits that he has some limitations. He says he does not know what ought to be done with the German South African colonies, but he is unstinted in his criticism of the course of our representatives yonder in the great world conference to-day, and he is joined by other Republicans on that side and by Democrats here, which ought not to be.

The condition exists. Our representatives are on the ground for what? To procure as much benefit to this country and mankind because of our expenditure in blood and treasure as we are entitled to out of the great peace conference yonder, and it seems that ours is the only delegation on the face of the earth that has mankind and humanity's future at heart. All has been forgotten by the others except a disposition to clutch and hold what they have in hand. We have helped to destroy the balance of power of the Old World, and but for our entrance into the war it would have been destroyed by Germany and other lands acquired by her.

If we shall withdraw from this peace conference without establishing some kind of a league of nations that will guarantee in some sort of effective way peace to the world and fair treatment to the weak and small and subject peoples of the earth and protection from exploitation by the strong and powerful, we may have done a disservice to mankind instead of a benefit in helping to vanquish the central powers.

To say the least of it, what have our people been taught to believe caused us to go into the war? That our rights on the seas were infringed, and the freedom of the sea * must be safeguarded yonder. The war was fought for that purpose, and what else? That there might be a league of nations to enforce peace and settle forever the question of armaments and to destroy militarism as it has flourished to now and cursed the world with the greatest war of all time. If we have not fought for those other things and have fought for these two, have conquered the enemy and are now laying down terms of peace, why should we not insist upon these things being regarded and accomplished there, and why should we not insist with a united voice?

I say the President of the United States ought to speak to the peace conference yonder as one having authority, as one who has 110,000,000 people behind him and the most powerful country on the face of the earth, a country that has gone into the war 3,000 miles away for the things that I have just spoken about. Would you have us withdraw quietly without accomplishment of the purpose, with a policy of cringing cowardice that would be a disgrace to the blood our heroic sons shed on the battle fields of France?

Incidentally, just there, I saw in the paper this morning a statement by an admiral of the United States Navy, while the President, the Commander in Chief of the Army and Navy of the United States, the President of the United States of America, the head of the peace delegation, is yonder at the great conference insisting upon a league of nations, and here is this admiral in our Navy, while the negotiations are going on and without knowing what may come of them, saying for publication that the league of nations has descended to the importance and prominence of an old ladies' sewing circle.

What did we spend all this blood and money for? Shall it have been expended in vain? If I were the Commander in Chief of the Army and the Navy and one of my subordinates should make a statement like that in this country for publication at this time, I might think it was for the good of the service

to reduce him to a rank so low that he would forget what the Navy is for.

Why should it be done? It is about time the United States Senate, in my judgment, should have regard for the great sacrifices this country has gone through and the immense burdens it must bear hereafter, and what ought to be gotten for this country and the benefit to the future of mankind out of the great peace conference. It can not be gotten after the conference is ended. We ought not to embarrass and obstruct our representative, who is on the ground and understands the situation. I say let him continue to speak as one having authority, and the United States Government and all the people will be with him in the declaration, notwithstanding this unwarranted criticism by Senators.

Mr. MYERS obtained the floor.

Mr. JOHNSON of California. Mr. President—

Mr. MYERS. If the Senator from California desires to address his remarks to the subject under consideration, I will yield to him.

Mr. JOHNSON of California. I thank the Senator from Montana. I wanted just one moment, for I thought it was illustrative of the argument that has proceeded in the days past. I think this morning's interesting debate but emphasizes the force of what has been so eloquently said by the Senator from Idaho [Mr. BORAH] upon the first of the peace terms. I do not think there is any substantial difference between the views of the Senator from Illinois [Mr. LEWIS] and those that I possess concerning those peace terms. I doubt, indeed, if the Senator from Arkansas [Mr. KIRBY] differs from either of us; but what we have demonstrated this morning is the unfortunate situation in which we and the country find ourselves to-day during the progress of these negotiations. I want to read to the Senate just a line that to me was most appropriate, and that I kept in mind during the remarks on the President's absence, and which I thought, of course, would be all controlling in the days of this peace conference—a line from the farewell address that was made to us by the President just prior to his departure. He then said:

I shall be in close touch with you and with affairs on this side the water, and you will know all that I do.

Of course, that is an error, for we know nothing; but that, taken in conjunction with the first of the peace terms concerning "open covenants of peace openly arrived at," led me to believe—and, I am sure, led many other Senators to exactly the same belief—that we would at least substantially understand what was transpiring abroad which touched us so intimately and bore upon our future destiny.

Mr. WALSH. Mr. President—

The PRESIDING OFFICER (Mr. SHEPPARD in the chair). Does the Senator from California yield to the Senator from Montana?

Mr. JOHNSON of California. I yield.

Mr. WALSH. I should like to inquire of the Senator from California if it is his view that the secrecy, of which he complains and which everybody deplors, is attributable to the American commissioners?

Mr. JOHNSON of California. I have no information upon that subject at all. I should say, were I to express an opinion, that it was not, for I assume, of course, with the announcement that the President made upon that subject, that he endeavored with all his power to prevent that sort of thing. I would not indulge for an instant in any other assumption concerning the President of the United States.

But the situation exists as a fact, nevertheless. It is most unfortunate. We here, a part of the treaty-making power, with the intensity of interest that every one of us has in what is transpiring abroad, with the hope, at least, that we were to know substantially what was transpiring as it transpired, with the words of the President ringing in our ears and before us, the solemn assurance given to the world, accepted by every power on earth, that there should be "open covenants of peace, openly arrived at," are to-day told, when they are dealing with the very blood and bone of this Republic, "that satisfactory arrangements yesterday were made." There ought to be some means by which there would be some information authentically brought to this body. I do not know how it can be accomplished. We are dependent upon the newspaper correspondents, and I hesitate to comment upon much that they say; but, nevertheless, we are left in confusion and in doubt and without the facts. We do not know what is transpiring, when to all the world we have said that not only the world but we ourselves should know just exactly what was occurring from minute to minute and from day to day.

Mr. LEWIS and Mr. BORAH addressed the Chair.

The PRESIDING OFFICER. The Senator from Montana [Mr. MYERS] has the floor.

Mr. MYERS. I will not claim the floor at this time, Mr. President.

The PRESIDING OFFICER. Then the Chair will recognize the Senator from Illinois.

Mr. LEWIS. Mr. President, I beseech the Senator from California [Mr. JOHNSON] to regard a situation, and I ask him if he can see from the situation where there has been any violation on the part of that covenant given by the President in his concluding observations, or what has been termed by the Senator from California the President's farewell address to us?

Mr. President, the President of the United States did say that he would be in constant touch with this country and that he would keep us informed as to those matters which transpired. We ought not to leave the country under the impression that these things have really officially transpired merely because the newspaper correspondents, catching the very first rumor that they thought reliable, and in their diligence giving it to the country, as became their office. The report says "it is currently rumored" that it has been agreed upon. But I invite the Senator from California to notice that France does not say such has happened; Britain does not say so; nor do any of the authoritative sources give it out as having transpired or having been officially adopted by any of those Governments.

Mr. JOHNSON of California. Mr. President—

Mr. LEWIS. I will yield to the Senator in a moment. But might I submit to the Senator this thought: If really these matters have been concluded, have really been decided upon, have been finally ascertained and settled, will not the Senator assume that, were such to be the circumstance, the President then would have communicated to this country? Will we not assume, sir, that the report we have is based upon the best information that the newspaper representatives have; but may we not also assume that it is a mere statement tentatively of what they understand has transpired, and not until we really know that a thing of this kind or any other thing of this importance has actually been arrived at and accepted, is the President of the United States under any obligation by his word to remit the facts or to transmit the information to us?

I inform the able Senator from California that there are reasons by which a few—indeed, all—of the Senators may rest assured that, as fast as any one thing is done, is in itself in a completed state, that will be communicated promptly by the American commissioners and by the President himself to anybody, whether it be the Senate or the other House or any agency of this Government, that has, in the nature of our administration, the right to have it, and to the American public, at the very first moment that it is convenient and appropriate.

I wish to press upon the Senator from California this thought as I now yield to him: Is it just to assume that there has been any violation on the part of the President or of the American commissioners in the promise to transmit information here merely because we have a general information of the presumption that things have been done of which we have no official statement from any official source anywhere at any time that they have officially been concluded?

I now yield to the Senator from California for reply.

Mr. JOHNSON of California. Mr. President, in response to the Senator from Illinois I will say just a word. The vice of the able Senator's argument is that he would have us have no knowledge, in any event, until the entire transaction has been concluded. Then, of course, discussion would be futile and useless. But that is apart from what I was speaking of a moment ago.

The Senator from Illinois is in error when he says that we have assumed that certain things have occurred. I read the official communique yesterday issued, and the official communique says that "satisfactory provisional arrangements were reached" as to Turkey and as to the German colonies. If the arrangements were yesterday made, under what was said to us by the President, that we should know all that he knows, ought we not or—eliminating ourselves because of the position into which the supposedly popular branch of the Government has fallen—ought not the people of the United States know, the event having transpired, just exactly what has been done?

Mr. LEWIS. Mr. President, I reply to say that the mere expression on the part of diligent correspondents announcing that a satisfactory arrangement or some temporary administration has been made is a mere conclusion on the part of those gentlemen.

Mr. JOHNSON of California. Mr. President, will the Senator pardon an interruption?

Mr. LEWIS. I yield again.

Mr. JOHNSON of California. I am not speaking of correspondents, if the Senator will pardon me; I am speaking of the official communique issued by the Governments participating in the peace conference—not about what the correspondents are saying at all.

Mr. NEW. Mr. President—

The PRESIDING OFFICER. The Senator from Illinois has the floor.

Mr. NEW. Will the Senator from Illinois yield to me for a question?

Mr. LEWIS. Yes; at this juncture I yield.

Mr. NEW. I should like to ask the Senator from Illinois if, to his knowledge, there has yet been any communication of any character from the President of the United States to either House of the Congress? Negotiations have been in progress for some time, and I should like to ask if there has been a single word from the President to either House of Congress concerning those negotiations?

Mr. LEWIS. Mr. President, I answer both Senators. In the first place, the communique to which the Senator from California refers is, I repeat, sir, a statement of the newspaper correspondents giving the best information they had at hand, and in announcing the communique they state their conclusions that some satisfactory arrangements have been reached as to the matters referred to; but I appeal to the Senator from California again to notice that there is no statement anywhere that there has been any arrangement made by the President of the United States concluding any subject, and I must assume again that if anything has been entered upon by him and concluded it would be reported promptly to that particular agency of our Government where under our laws and customs the report should be made.

Now, says the Senator, there are proceedings daily transpiring. That I concede, and I have stood on this floor, as did the Senator from Montana [Mr. WALSH] and Senators on the opposite side of the Chamber, deploring that any rule should be adopted by the convention that would prevent the daily proceedings from being heard; but, Mr. President, it appears that these daily proceedings are reported in so far as whatever transpires day by day is concerned. What A or B may say and what response C or D may make may not come to us each moment by telegraph any more than what we are saying here each moment is being reported each moment back there.

But, answering the Senator from Indiana, who asked if there had been any report from the President to either House of Congress, let this be the answer: The only thing that has transpired has been a mere convention, a gathering, that has been as open as the proceedings transpiring here. Every agency of the world has reported it. There was not a thing the President could communicate that was not known to the various citizens of our land. Since then nothing has transpired of a completed character affecting our Government, that I can see, which called upon the President to report it. It is not yet in a shape or condition when upon a point of honor or a point of duty it would be expected that he would pause to communicate it fully to us. The reason clearly, I may say, is that until he has full information to impart, information in mere fragments would be misleading and most unsatisfactory. I think there has not yet arisen a time when it can be said that it was his duty by any form of obligation or undertaking to have communicated to us anything that we do not now know.

I think what we need is a little patience; I think also what we need is some confidence in those who represent us, and not to assume that they are employing every opportunity to trick and betray us; but to place some hope in mankind, some trust in the solemn oath of officials, some belief that in the honor of the men the same obligations will be complied with at a distance that we know were ever complied with at home. As we have had no real reason for ever lodging any complaint, we are not justified now in this honorable place in expressing a suspicion.

Mr. BORAH obtained the floor.

Mr. JOHNSON of California. Mr. President, will the Senator from Idaho yield for a moment?

Mr. BORAH. I yield.

Mr. JOHNSON of California. I do not wish to prolong the discussion, but because of his repeated statement, which leads me to believe that the Senator from Illinois has misapprehended what I have said, I read:

COMMUNIQUE TELLS DECISIONS OF COUNCIL.

[By the Associated Press.]

PARIS, January 30.

The official communication on the peace proceedings to-day reads: "The President of the United States, the prime ministers, and ministers of foreign affairs of the allied and associated powers, as well

as the Japanese representatives, to-day held two meetings at the Quai d'Orsay, the first from 11 a. m. until 1 p. m. and the second from 3.30 to 6 p. m.

"The exchange of views continued on the German colonies in the Pacific and in Africa, in the presence of the representatives of the dominions and of M. Simon, French minister of the colonies, and of the Marquis Salvago Raggi (Italy).

"In the afternoon satisfactory provisional arrangements were reached for dealing with the German colonies and the occupied territory of Turkey in Asia."

I am reading the official declaration.

Mr. LEWIS. I think, Mr. President, the Senator will see the United States was not mentioned as having taken any part whatever, and therefore could not have been under any obligation to make report to us.

Mr. MOSES. Mr. President—

The PRESIDING OFFICER. The Senator from Idaho has been recognized.

Mr. MOSES. If the Senator from Idaho will yield to me for just a moment. I have no wish, Mr. President, to administer any kindergarten instruction in diplomatic practice to the eminent and able Senator from Illinois, but, speaking from my own personal experience, having assisted, in the French sense, at one peace conference, I wish to say that the communique which the Senator from California has read is an official document emanating from an officer of the conference who is known as the chef du protocol, who puts out a statement each day in skeleton form of the doings of the conference. In this instance the chef du protocol, who issued the communique which the Senator from California has read, is, as I understand, M. André Tardieu, who is well known to many people in this country because of his presence here as the French high commissioner a year ago.

Mr. LEWIS. Still that merely verifies the assertions I have made and the conclusions I have heretofore drawn.

Mr. BORAH. Mr. President, it is impossible for Senators to feel other than a deep interest in everything which is transpiring at Versailles. The nature of the questions which are there being considered and the consequences which may follow from a decision this way or the other are such that no one can be indifferent to what is transpiring, and it must be understood that Senators here will continue to discuss these matters from day to day, either upon insufficient information, if we can have no other, or upon sufficient information to enable us to discuss them correctly, if it can be had. In other words, Mr. President, no Member of this body would think of remaining silent while these matters are transpiring. He would be unfit to occupy a place in this Chamber if he did.

Mr. President, it is not a question of confidence in the President. Those of us who may have views contrary to the views which the President entertains with reference to these things ought not to be charged with having a lack of confidence in the man or anything of that nature. The President has said that he is in favor of the league of nations. I am uncompromisingly opposed to it. That is my position. It is not a question of personality at all; it is a question of policy for my Government, and that I decide regardless of individuals or persons.

When the President of the United States declared in favor of "open covenants of peace, openly arrived at," if I may be permitted to make the statement, he simply announced a doctrine that some of us here had been advocating in the Senate Chamber for eight years. I did not modify my position because a Democratic President had announced his position to be in harmony with that view. I continued to support it because I believe in it as a principle, aside from the fact that this or that individual may be in favor of it, or this or that individual may be opposed to it. In fact, it amounts to but very little in this world, through the sweep of the ages, what this or that particular individual believes, but it is of tremendous importance as to what particular principle or policy of government is to obtain. And so, sir, we are dealing with policies and principles, and not with individuals; and I suspect that some of us here have supported the President as earnestly in critical times in his administration as others who have been of the same party. So it is not a question, sir, of confidence or lack of confidence in the President. It is a question of whether or not certain policies should obtain. It is a profound disagreement upon a far-reaching policy of the Government.

Mr. President, the difficulty of the situation arises out of this condition of affairs, in my humble judgment, expressing myself as I must in my own way, that we have entered upon a boundless sea, without chart or compass to indicate where we are going. When we declared that we would take part in readjusting the territorial boundaries and the governmental conditions of Europe, we broke away from the fundamental principle upon which the foreign policy of this Government was established a century ago, and we have had neither chart nor compass for our sea since

that hour. Let us get back to our safe and ancient moorings. Let us recur to those great policies which enabled Washington to direct our course in safety in times just as turbulent and dark as these.

I do not care what kind of a league of nations you form. It may, as Admiral Mayo said, be nothing more than an old ladies' quilting society; but it will finally lead us into all kinds of entangling obligations and conditions with European affairs. If we sit in the council chamber with nothing more than our moral influence and our moral suasion and exercising our intellectual powers, we are still dealing with European affairs and creating corresponding obligations upon our part, against which the Father of his Country declared. If we take possession of the German colonies and undertake to administer them and become mandatory for them, we have in that very hour—I do not care whether there is any declaration to that effect or not—abandoned the Monroe doctrine. Is human nature so constituted that Europe would permit us to interfere with the Monroe doctrines of Europe and Europe never have anything to say with reference to the Monroe doctrine of the United States? Certainly not.

So, Mr. President, it is against the fundamental principle of a league of nations that I inveigh, and not a challenge of the confidence or the integrity or the intellectual power of the President of the United States. He is perfectly entitled to his views, and I do not criticize him for urging them—not at all. I simply want to present the question to the only tribunal upon the face of the earth that shall decide it; and that is, to the tribunal of public opinion in the United States. If the public opinion of the United States shall finally ratify that course after it is thoroughly presented to the people, then I must, as an American, bow to the majority opinion of my countrymen and abide by it and watch, as I shall with deepest anxiety, for its consequences. But until the final decision is taken, I propose to present to that tribunal in my humble way, at every opportunity I have, my firm, even my religious, belief that such a policy is the end of the Republic as the fathers made it.

So believing, I shall not remain silent out of fear of being called a carping critic. Therefore, when the news came across the water that in all probability we were to take charge of the German colonies, I raised my voice against it, because I was against the policy. I know of no higher duty devolving upon a Senator than, with courtesy, with proper consideration for the personal feelings of others, and for the due respect belonging to the man who occupies the position of Commander in Chief, to advocate his own beliefs and his own views, regardless of the awe which surrounds that high office. These are not the times for intellectual timidity or spineless opposition.

HOMESTEADS FOR SOLDIERS AND SAILORS.

Mr. MYERS. From the Committee on Public Lands, I report back favorably without amendment the bill (S. 5071) extending the benefits of sections 2304, 2305, and 2309, Revised Statutes of the United States, to those who rendered military or naval service during the Mexican border troubles and the war with Germany and its allies, and I submit a report (No. 678) thereon. I desire to say a few words concerning the bill.

It was prepared by the Secretary of the Interior and introduced by me at his request. It relates to a matter of considerable urgency. There is now a law which provides that the veterans of the Civil War, the Spanish-American War, and the Philippine insurrection, when they enter land as homesteaders, may have counted in their favor, as part of the period of residence on those homesteads, the time they served in the armed forces of the United States. That applies to veterans of the Civil War, the Spanish-American War, and the Philippine insurrection. But there is no such law applicable to soldiers who served on the border during the Mexican trouble, nor to soldiers or sailors in the forces of the United States during the present war. This bill is simply to extend to soldiers and sailors of the present war the same privilege that has been granted to the veterans of the Civil War, the Spanish-American War, and the Philippine insurrection, to put them on the same footing.

I will read briefly from the communication of the Secretary of the Interior:

DEPARTMENT OF THE INTERIOR,
Washington, November 27, 1918.

HON. HENRY L. MYERS,

Chairman Committee on Public Lands, United States Senate.

MY DEAR SENATOR: I have the honor to submit, with the request that you introduce the same, draft of a bill extending the benefits of sections 2304, 2305, and 2309, Revised Statutes of the United States, to those who rendered military or naval service during the Mexican border troubles and the war with Germany and its allies.

The three sections named grant credit, in lieu of actual residence and cultivation, in connection with homestead entries initiated after

such service has terminated, for military or naval service rendered during the Civil War, the Spanish War, and the insurrection in the Philippines, and authorize the soldier or sailor to file a declaratory statement, in person or by agent, in advance of entry and settlement.

Public resolution No. 32 and the act of July 28, 1917, referred to in the draft, are protective measures affecting claims initiated prior to entering the service, and reference is made to them as defining the character of service for which credit is to be given.

There is no existing law under which credit may be given for military service rendered during the Mexican border troubles or the war with Germany in connection with homestead entries made after the service has been rendered, and the Land Department is receiving many letters on the subject from persons who have so served or are now serving.

I am submitting a like draft to Hon. SCOTT FERRIS and earnestly hope that the legislation may be pushed to early enactment.

Cordially, yours,

FRANKLIN K. LANE, *Secretary*.

The Secretary of the Interior is taking a great interest in directing the settlement of returned soldiers and sailors on the public lands of the country, and this measure is in line with that idea. It simply puts the soldiers and sailors of the present war on the same footing with soldiers of past wars.

I ask that the bill may be read, and then I ask for its immediate consideration.

Mr. FRANCE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum is suggested. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bankhead	Johnson, S. Dak.	New	Sutherland
Calder	Jones, N. Mex.	Nugent	Swanson
Colt	Jones, Wash.	Overman	Thompson
Curtis	Kellogg	Page	Trammell
Fletcher	Kenyon	Penrose	Underwood
France	Kirby	Ransdell	Wadsworth
Gay	La Follette	Shafroth	Walsh
Gronna	Lewis	Sheppard	Warren
Hale	McKellar	Smith, Ariz.	Weeks
Henderson	McNary	Smoot	Wolcott
Hollis	Myers	Spencer	

Mr. BANKHEAD. I wish to announce that the Senator from Maryland [Mr. SMITH] is detained by illness.

Mr. LEWIS. I desire to announce that the Senator from Kentucky [Mr. MARTIN] is necessarily detained on official business.

Mr. OVERMAN. I wish to announce that the Senator from North Carolina [Mr. SIMMONS] and the Senator from Georgia [Mr. SMITH] are detained on official business.

Mr. SHEPPARD. I wish to announce that the Senator from South Carolina [Mr. SMITH] is detained by illness.

Mr. HENDERSON. I desire to announce the absence of the senior Senator from Oregon [Mr. CHAMBERLAIN] on account of official business.

Mr. MCKELLAR. I announce the absence of the senior Senator from Tennessee [Mr. SHIELDS] on account of illness.

Mr. KENYON. I wish to announce the absence of the junior Senator from Nebraska [Mr. NORRIS] on official business.

Mr. SUTHERLAND. My colleague, the senior Senator from West Virginia [Mr. GOFF], is absent on account of illness.

The PRESIDING OFFICER. Forty-three Senators have responded to their names, a quorum is not present. The Secretary will call the names of absentees.

The Secretary called the names of the absent Senators, and Mr. PITTMAN, Mr. SIMMONS, Mr. STERLING, and Mr. VARDAMAN answered to their names when called.

Mr. KIRBY. I wish to announce the absence of the Senator from Delaware [Mr. SAULSBURY], the Senator from Ohio [Mr. POMERENE], and the Senator from Arkansas [Mr. ROBINSON], who are necessarily absent on official business.

Mr. THOMAS, Mr. FERNALD, Mr. REED, Mr. GORE, and Mr. BECKHAM entered the Chamber and answered to their names.

The PRESIDING OFFICER. Fifty-two Senators having answered to their names, there is a quorum present. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated.

The SECRETARY. A bill (H. R. 13308) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1920, and for other purposes.

Mr. MYERS. Mr. President, the Senate spent an hour and three-quarters this morning in talking when nothing was before the Senate and accomplished nothing. There was one hour and three-quarters of time spent in absolutely idle talk. At a few moments before 2 o'clock I rose and explained that I wished to ask the immediate consideration of a bill which would do something for the soldiers and sailors of this country who had exposed their lives, that in a sense would confer some benefit upon them. It would have taken only a minute to consider the bill. The Senator from Maryland [Mr. FRANCE] very kindly interfered, and suggested the absence of a quorum, which took all the time up to 2 o'clock, when the unfinished business comes

on. The Senator from Maryland has had the distinction of interfering with doing something in this body for our soldiers and sailors.

AMENDMENT OF THE RULES.

Mr. BORAH. Mr. President, I rise to give notice of a motion for the suspension of the rules with reference to permitting legislation upon an appropriation bill. I give the notice now, although I desire to say to the Senator in charge of the bill that it is not my purpose to utilize this notice to delay the Post Office appropriation bill. If the appropriation bill should go over until to-morrow, one day being necessary, I shall avail myself of the virtue of the notice. If the Senator from Alabama can conclude the consideration of his bill to-day, I will not take advantage of this notice to delay it.

I should have given the notice sooner, but I did not anticipate that this bill would go through so rapidly as it apparently is going through at this time, so I give this notice now, and I will avail myself of it, if I can, later.

I ask that the notice may be read.

The VICE PRESIDENT. The Secretary will read the notice. The Secretary read as follows:

Mr. BORAH. Mr. President, I desire to give notice that on Saturday, February 1, 1919, or as soon thereafter as possible, I shall move to suspend that provision of paragraph 3 of Senate Rule XVI, prohibiting any amendment proposing general legislation to any general appropriation bill, for the purpose of offering the following amendment to the Post Office appropriation bill, H. R. 13308, now pending, by adding a new section to the bill, as follows:

SEC. 1. That sections 1, 2, and 3, title 12, of an act entitled "An act to punish acts of interference with the foreign relations, the neutrality, and the foreign commerce of the United States, to punish espionage, and better to enforce the criminal laws of the United States, and for other purposes," passed and approved June 15, 1917, which sections read as follows:

SECTION 1. Every letter, writing, circular, postal card, picture, print, engraving, photograph, newspaper, pamphlet, book, or other publication, matter, or thing of any kind, in violation of any of the provisions of this act is hereby declared to be nonmailable matter and shall not be conveyed in the mails or delivered from any post office or by any letter carrier: *Provided*, That nothing in this act shall be so construed as to authorize any person other than an employee of the Dead Letter Office, duly authorized thereto, or other person upon a search warrant authorized by law, to open any letter not addressed to himself.

SEC. 2. Every letter, writing, circular, postal card, picture, print, engraving, photograph, newspaper, pamphlet, book, or other publication, matter, or thing of any kind containing any matter advocating or urging treason, insurrection, or forcible resistance to any law of the United States is hereby declared to be nonmailable.

SEC. 3. Whoever shall use or attempt to use the mails or Postal Service of the United States for the transmission of any matter declared by this title to be nonmailable shall be fined not more than \$5,000 or imprisoned not more than five years, or both. Any person violating any provision of this title may be tried and punished either in the district in which the unlawful matter or publication was mailed, or to which it was carried by mail for delivery according to the direction thereon, or in which it was caused to be delivered by mail to the person to whom it was addressed," be, and the same are hereby, repealed.

SEC. 2. That section 4 of an act entitled "An act to amend section 3, title 1, of the act entitled 'An act to punish acts of interference with the foreign relations, the neutrality, and the foreign commerce of the United States, to punish espionage, and better to enforce the criminal laws of the United States, and for other purposes,' approved June 15, 1917, and for other purposes," passed and approved May 16, 1918, which section reads as follows:

SEC. 4. When the United States is at war the Postmaster General may, upon evidence satisfactory to him that any person or concern is using the mails in violation of any of the provisions of this act, instruct the postmaster at any post office at which mail is received addressed to such person or concern to return to the postmaster at the office at which they were originally mailed all letters or other matter so addressed, with the words, "Mail to this address undeliverable under espionage act," plainly written or stamped upon the outside thereof, and all such letters or other matter so returned to such postmasters shall be by them returned to the senders thereof under such regulations as the Postmaster General may prescribe," be, and the same is hereby, repealed.

POST OFFICE APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 13308) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1920, and for other purposes.

Mr. NUGENT. I present a memorial of the Legislature of the State of Idaho in favor of Federal aid for post roads, a subject embraced in the pending bill, and I ask that it be read.

The PRESIDING OFFICER (Mr. MCKELLAR in the chair). Without objection, the memorial will be read.

The Secretary read as follows:

STATE OF IDAHO,
DEPARTMENT OF STATE.

I, Robert O. Jones, secretary of state of the State of Idaho, do hereby certify that the annexed is a full, true, and complete transcript of house joint memorial No. 2, by McDonald, which was filed in this office on the 21st day of January, A. D. 1919, and admitted to record.

In testimony whereof, I have hereunto set my hand and affixed the great seal of the State. Done at Boise City, the capital of Idaho, this 22d day of January, A. D. 1919, and of the independence of the United States of America the one hundred and forty-third.

[SEAL.]

ROBERT O. JONES,
Secretary of State.

House joint memorial 2.

A joint memorial memorializing the Congress of the United States for the passage of an amendment to the bill introduced by Senator BANKHEAD in the United States Senate on December 4, 1918, known as S. 5088; also the same amendment to a bill introduced in the United States Senate by Senator SWANSON on December 5, 1918, known as S. 5098; also the same amendment to a bill introduced by Mr. SHACKLEFORD in the House of Representatives of the United States on December 12, 1918, known as H. R. 13354; and also to any other similar bills introduced in Congress, in order to provide a more equitable application of Federal aid for post roads in the sparsely settled States, and to provide a more reasonable time limit for the availability of such Federal aid.

We, your memorialists, the house of representatives and senate of the State of Idaho, respectfully represent that—

Whereas there are pending in the Congress of the United States bills known as S. 5088, S. 5098, and H. R. 13354, all of which provide for additional Federal aid for post roads under the terms of the act of Congress approved July 11, 1916, and commonly known as the Federal-aid road act; and

Whereas section 6 of said Federal-aid road act provides that the United States shall not cooperate in any road project in an amount greater than 50 per cent of the total estimated cost thereof; and

Whereas although additional Federal aid for road building at the present time is highly desirable, nevertheless those States having large areas and relatively small populations will be unable to avail themselves of the benefits of this act as amended to provide additional Federal aid without a disproportionate burden of taxation: Now, therefore,

Your memorialists urgently request that the said bills, and other similar bills which may be introduced in the Congress of the United States, be so amended that section 6 of the said Federal-aid road act will provide that in those States where the average population per square mile of area is 100 persons or more, based upon the census of 1910, the United States shall not cooperate in any road project in an amount greater than 50 per cent of the total estimated cost thereof; and that in those States where the average population per square mile of area, based on the census of 1910, is less than 100 persons the share of the United States shall be increased one-fourth of 1 per cent for each person or major fraction thereof less than 100 per square mile; and, furthermore,

Whereas section 3 of said Federal-aid road act provides that so much of the appropriation apportioned to any State for any fiscal year as remains unexpended at the close thereof shall be available to such State only until the close of the succeeding fiscal year; and

Whereas on account of the said provision of section 3 of said act, local conditions existing in some States render it practically impossible to comply with the terms of the act: Now, therefore,

Your memorialists also request that said bills now pending in Congress, and any other similar bills which may be introduced, be amended so that section 3 of the said Federal-aid road act will provide that so much of the appropriation to any State for any fiscal year as remains unexpended at the close thereof shall be available to such State until the close of the second succeeding year: And be it

Resolved, That a copy of this memorial be sent to each of the Members of the congressional delegation from the State of Idaho, to the Congress of the United States, and to each body of said Congress.

This memorial passed the house on the 15th day of January, 1919.

M. A. KIGER,

Speaker of the House of Representatives.

This memorial passed the senate on the 16th day of January, 1919.

C. C. MOORE,

President of the Senate.

This memorial received by the governor on the 21st day of January, 1919, at 10.55 o'clock a. m., and approved on the 21st day of January, 1919.

D. W. DAVIS, Governor.

I hereby certify that the within house joint memorial No. 2 originated in the house during the fifteenth session of the Legislature of the State of Idaho.

DAVID BURRELL,

Chief Clerk of the House of Representatives.

(Indorsed: Received and filed January 21, 1919. Robert O. Jones, secretary of state.)

The PRESIDING OFFICER. The pending question is on the amendment of the committee to insert a new section, to be known as section 5.

SEVERAL SENATORS. Let it be read.

The PRESIDING OFFICER. It will be read.

The SECRETARY. On page 36, after line 16, the committee report to insert the following as an additional section:

SEC. 5. That the act entitled "An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes," approved July 11, 1916, is hereby amended to provide that the term "rural post roads," as used in section 2 of said act, shall be construed to mean any public road which is now used or may be made suitable for the transportation of the United States mails, excluding every street and road in a place having a population, as shown by the latest available Federal census, of 2,500 or more, except that portion of any such street or road along which the houses average more than 200 feet apart.

Mr. BANKHEAD. I desire to offer an amendment to the amendment of the committee.

The PRESIDING OFFICER. The amendment to the amendment will be stated.

The SECRETARY. At the end of the amendment, at line 3, page 37, strike out the period and insert a colon and add:

Provided, That section 6 of said act be further amended so that the limitation of payment not to exceed \$10,000 per mile, exclusive of cost of bridges of more than 20 feet clear span, which the Secretary of Agriculture may make, be, and the same is, increased to \$20,000 per mile.

Mr. SMOOT. Mr. President—

Mr. THOMAS. I should like to make an inquiry of the Senator from Alabama.

Mr. BANKHEAD. If the Senator will yield just a moment, I will make a brief explanation and give the reason why it is thought necessary to offer this amendment to the amendment.

Under the existing law the Secretary of Agriculture can not expend more than \$10,000 out of the present appropriation to aid in the construction of roads. There are quite a number of States that desire to build roads that cost more than \$20,000 per mile, and the Secretary of Agriculture thought this amendment to the amendment would be very advisable, because it would authorize him, in each State where they desire to build better roads than they can for \$20,000, to expend more money in their construction.

In other words, if the State of New York or the State of Massachusetts or any other State desires to build a road or improve or reconstruct a road that costs more than \$20,000 a mile, it can only receive from the Federal appropriation \$10,000. I think, and the committee thought, that States which desire to build roads more expensive than \$20,000 per mile should be permitted to spend \$30,000 or \$40,000 a mile and get their pro rata share from the Federal appropriation. That is the purpose of the amendment to the amendment.

Mr. SMOOT. I rose to ask the Senator a question. I am not opposed whatever to the amendment the Senator has just offered. I think it is a very wise amendment. What I wanted the Senator to do was to explain the difference between the existing law and the law as amended by section 5 of the bill.

Mr. BANKHEAD. There is no difference, except that section 5 increases the appropriation heretofore made.

Mr. SMOOT. No; there is no increase of appropriation in section 5.

Mr. BANKHEAD. Does the Senator mean with reference to construction?

Mr. SMOOT. Yes; I mean all the amendments. Section 5 provides:

That the act entitled "An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes," approved July 11, 1916, is hereby amended to provide that the term "rural post roads," as used in section 2 of said act, shall be construed to mean any public road which is now used, or may be made suitable, for the transportation of the United States mails.

Mr. THOMAS. It adds the words "may be made suitable."

Mr. BANKHEAD. Yes; "may be made suitable." That is a definition or an explanation of the words in the original act, which were "may or can be used." The Secretary of Agriculture, in discussing this matter with me, regards this as a very important amendment because it relates to roads over which rural mail goes on the major part of the road. It may go over both ends of a road, but there may be a short link in the middle where the conditions up to this time had not made it possible or desirable to carry the rural service.

Mr. SMOOT. Of course, the object is to make any road in the United States fall under this law.

Mr. BANKHEAD. Yes; wherever mails go.

Mr. WADSWORTH. Will the Senator yield?

Mr. BANKHEAD. I yield.

Mr. WADSWORTH. I was going to ask, in view of the suggestion that that phrase be inserted—to wit, any road which "may be made suitable"—why not wipe out all reference to post roads, because, from the explanation which the Senator made just a moment ago, it is intended to cover and include roads which are not to be used for carrying the mail?

Mr. BANKHEAD. That is a construction which might be put on it by the Senator from New York, but I do not think the department meant that. I am sure I would not put that construction on it.

Mr. WADSWORTH. If I know the meaning of the English language, it seems very clear to me. I am convinced that any road that can be made suitable for carrying mail includes any, and every road in the United States.

Mr. BANKHEAD. It might.

Mr. WADSWORTH. I have suspected that would be the outcome of the legislation, anyway. I am glad that it comes so quickly, so that we may know what we are confronting. We might just as well strike from the statute enacted two years ago all reference to post roads and say "any road in the United States," and let the American people understand it frankly.

Mr. SMOOT. I think that is a fair construction of the amendment, and I really believe that is what will be done.

Mr. SWANSON. Under the existing law you have to get an affirmative opinion from the Post Office Department that it is practical to be used for carrying the mail before certain parts of the road can be improved, and unless that affirmative action of approval is given by the Post Office Department it is impossible to use any of this money for that purpose. The reason

why it is desired to retain that language is to let it be known that the general purpose is to include post roads. As the Senator from Alabama well says, sometimes there are 4 or 5 miles which the Post Office Department are not willing to say they contemplate using for a post road. Then the entire system would fail. I have not read the opinion, but my information is that the solicitor decided that unless that was done it was impossible to use the money for that purpose. There were cases in which connecting links were left out because they did not get their certificate from the Post Office Department that the department contemplated using them for a post road.

Mr. WADSWORTH. Will the Senator yield?

Mr. SWANSON. Certainly.

Mr. WADSWORTH. Could not the community build the connecting link? Must the Federal Government do all this?

Mr. SWANSON. The Federal Government is to contribute one-half. We think it is wise and proper.

Mr. WADSWORTH. We legislated on the theory that the Federal Government has a direct interest in the carrying of mail.

Mr. SWANSON. The word "may" was thought to cover the case, but on account of the solicitor's opinion and that of the Comptroller of the Treasury, the word "may" would mean that any time in the future it might be done. It was on account of the narrow construction given the word "may" under existing law that we thought there ought to be substituted "can" or "suitable." That was the condition. It was because of the narrow construction given to the word "may." I understand it is the law that mail may be carried, and it was construed that that must indicate the purpose on the part of the Post Office to do it, and unless that purpose was stated these short links could not be connected up. It proved to be an embarrassment in the administration of the law. Everybody thought the word "may" would be construed as "can" or "suitable." It was the narrow interpretation given to it that necessitated this amendment.

Mr. WADSWORTH. The Senator will concede that there is no intention to carry mail on the so-called short links.

Mr. SWANSON. The department said at the time it may be three or four years or five years before they do it, but under the amendment they would have the right to do it.

Mr. WADSWORTH. The Senator will concede that when the time came they would improve the roads?

Mr. SWANSON. If there were any such necessity it would require an investigation by the Post Office Department to determine years ahead what its policy would be as connected with our rural-route delivery.

Mr. THOMAS obtained the floor.

Mr. KELLOGG. I wish to make an inquiry.

The PRESIDING OFFICER. Does the Senator from Colorado yield for that purpose?

Mr. THOMAS. I yield.

Mr. KELLOGG. Leaving out the words "may be suitable," the law would be that it would include only roads which are now used, but when the roads come to be improved, in a couple of years from now, the fund would be available for that purpose.

Mr. WADSWORTH. I think the Senator is not entirely familiar with the existing law. The existing law is found on page 3 of the committee report:

Any public road over which the United States mails are now or may hereafter be transported—

The phrase "may hereafter be transported" is to be stricken out, and in its place is put "or may be made suitable," which is a very different story.

Mr. THOMAS. The act to which the proposed act is amendatory is entitled "An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes." Under that designation Congress passed an act appropriating \$75,000,000 under certain circumstances for the construction of rural post roads. This is a Post Office appropriation bill, and in a bill making appropriations for the service of the Post Office Department, and for other purposes, it is proposed to add \$200,000,000 to the appropriation of two years ago, and by the amendment of section 2 of that act to make the \$200,000,000, plus the unexpended previous appropriation of \$75,000,000, available for the construction of all roads of every kind, nature, and description.

It may be that the department gave to the committee the reason which has been set forth here, and of course the phraseology of the proposed amendment will permit the department to act in the instances cited, but it does not stop there. It is a radical and fundamental departure from the policy entered upon two years ago. As the Senator from New York [Mr. WADSWORTH] says, if it is enacted it commits the General Government and the Treasury of the General Government to the policy of universal

highway construction. Of course, the time is coming when the States are going to be relieved of their proportion of this burden. Indeed, some people in my State sometime ago requested me to initiate proceedings whereby the State could be relieved of its 50 per cent burden under the act of 1916, the idea being that inasmuch as these roads were post roads, and inasmuch as the Government has exclusive jurisdiction of the post offices and post roads, ergo, the State treasury should be relieved from the incubus placed upon it by the act of 1916.

It may be perfectly proper, indeed necessary, for the United States at this time to assume the new burden of highway construction, unlimited in its character and extent, and to place the expense of this construction upon the shoulders of the taxpayers of the United States. If so, then let us do it with our eyes open, and labor under no misconception as to the real purpose sought to be obtained in this apparently unimportant amendment of section 2 of the existing law.

Mr. SMOOT. May I ask the Senator a question?

Mr. THOMAS. Certainly.

Mr. SMOOT. I have no doubt that the construction placed upon those words by the Senator is correct. I construe them exactly as he does. I was going to ask the Senator, if it is desirable to accomplish even what the Senator from Virginia [Mr. SWANSON] said it was the intention of the department to accomplish, would it not be better to strike out the word "or" and insert the word "and," so that it would read:

Shall be construed to mean any public road which is now used and may be made suitable for the transportation of the United States mails.

Mr. THOMAS. That would improve the phraseology of the section.

Mr. SMOOT. Certainly it would.

Mr. THOMAS. But it would not relieve it from the operation which I contend must necessarily result and which by the department, at least, is designed to result from this amendment.

Mr. SMOOT. I recognize that, but I do believe that it would be a limitation.

Mr. THOMAS. It may be.

Mr. SMOOT. I think it would greatly improve the amendment.

Mr. THOMAS. I am willing to take chances on it, but under the suggestion made by the Senator from New York, or another Senator, the State itself surely ought to be willing, or the community should be willing, when these little spaces or stop gaps, so to speak, exist in a general system, which are not suitable for rural postal purposes, to make the improvement itself.

Mr. SMOOT. I agree with the Senator entirely, and I am perfectly willing to vote against section 5 of the bill; but as we are now considering it, I simply wanted to suggest at this time, if the Senator has no objection, that the word "or" be stricken out and the word "and" be inserted, which I am quite sure will improve the amendment.

Mr. THOMAS. The Senator from Alabama has charge of the bill.

Mr. BANKHEAD. I have no objection to that.

Mr. THOMAS. I move that on line 22, page 36, the word "or" be stricken out and the word "and" inserted.

The PRESIDING OFFICER. The Secretary will state the amendment.

The SECRETARY. In line 22, page 36, after the comma, strike out the word "or" and insert the word "and."

The PRESIDING OFFICER. Without objection, the amendment to the amendment is agreed to.

Mr. KELLOGG. Mr. President—

The PRESIDING OFFICER. Will the Senator from Colorado yield to the Senator from Minnesota?

Mr. THOMAS. I yield to the Senator from Minnesota.

Mr. KELLOGG. As section 5 is now amended, this aid can only be extended to a road which is now used for this purpose. The provision to which the Senator from New York calls attention, which was in the original bill, is cut out, and no road, however important, which should be hereafter, during these three years or any other time, used for post roads could be aided under this clause.

Mr. BANKHEAD. If that is a proper construction, I do not so understand it. Personally I do not care anything about this amendment, so far as I am concerned. It is offered here at the urgent request of the Secretary of Agriculture, who has charge of the work. He said the construction put upon the language of the original act by the solicitor was very embarrassing to the department. It was, he thought, very narrow, and he said the language ought to be changed so that he might apply his pro rata share to a link of a road over which the mails may hereafter go. I think every Senator on the floor knows that there will be a rural route over every good road in this country, so far as that is concerned.

Mr. KELLOGG. The amendment as it is now amended amends the act of 1916, and the aid can only be granted to a rural post road, which shall be construed to mean any public road which is now used and made suitable, while the original act—

Mr. BANKHEAD. That being true, I move to reconsider the vote by which the amendment to the amendment was adopted. I do not understand it, and I do not think that any other Senator does.

Mr. SMOOT. I wish to say to the Senator that I had no ulterior motive in offering the amendment.

Mr. BANKHEAD. I appreciate that.

Mr. SMOOT. I listened to the statement made by the Senator from Virginia that there are roads now where there might be a part of the road used at each end only, and a gap between those two used roads upon which, under the construction of the department, no money could be expended, and therefore I simply wished to limit it to cover such roads.

Mr. SWANSON. Could it not be very easily covered by inserting the words "or forming a connecting link"?

The PRESIDING OFFICER. Is there objection to reconsidering the vote by which the amendment to the amendment was adopted? The Chair hears none. It is reconsidered, and the question is on the amendment to the amendment of the committee.

Mr. SMOOT. Mr. President, I do not want to take the Senator from Colorado off the floor, but—

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Utah?

Mr. THOMAS. I yield.

Mr. SMOOT. As it has been reconsidered, I ask that it may go over until the Senator concludes his remarks. I want a ye-a-and-nay vote upon it, and I do not wish to call for a quorum now.

Mr. THOMAS. I do not care to take up the time of the Senate in discussing a provision of a bill or an amendment which may be subject to a point of order, and consequently before I proceed further I want to raise a point of order against section 5, in that it is the inclusion of general legislation upon an appropriation bill.

The PRESIDING OFFICER. The Chair will hear the Senator on the point of order, if he desires.

Mr. THOMAS. It is too clear to my mind to require any elucidation. It is general legislation. The precedents are abundant upon it. There is no exception to it. It is clearly within the prohibition of Rule XVI, subdivision 3.

Mr. STERLING. Mr. President—

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from South Dakota?

Mr. THOMAS. I yield.

Mr. STERLING. I thought the Senator had concluded; but I hope he will not insist upon his point of order.

Mr. THOMAS. I shall not only insist upon it as to this section, but I am going to make a point of order as to the next section when that comes up.

Mr. STERLING. I think Federal aid to the post roads of the country is a beneficent thing, a beneficent activity upon the part of the Government, and my thought is that the Senator's main objection to the amendment and to section 5 was because of the words "or may be made suitable."

Mr. THOMAS. Oh, no; that is merely a trivial incident.

Mr. STERLING. It is an extension of a system which is already established; and I may say to the Senator that I think the country has been benefited by it; that it approves of the legislation, and that there is a demand for this Federal good-roads legislation.

Mr. KING. Mr. President, will the Senator yield to me?

Mr. STERLING. I yield to the Senator from Utah.

Mr. THOMAS. Who has the floor, Mr. President?

Mr. STERLING. I am speaking, I know, in the time of the Senator from Colorado.

Mr. KING. The Senator will pardon me. I had forgotten the Senator from Colorado had the floor.

Mr. STERLING. I have finished all I care to say. I simply hope that the Senator from Colorado will not insist upon his objection to this amendment.

Mr. THOMAS. I may say, Mr. President, that all of the appropriations of public moneys since I have been here have been for beneficent purposes, and the more beneficent the purpose the greater the appropriation. I shall address myself to the beneficence of this appropriation after the point of order shall have been disposed of.

Mr. BANKHEAD rose.

The PRESIDING OFFICER. The Chair will hear the Senator from Alabama on the point of order.

Mr. BANKHEAD. Mr. President, I can not quite understand why this provision of the bill is subject to a point of order. It is an amendment, it is true, to an appropriation bill, but it is amending a general law as to which the appropriation is made. It is estimated for by the Department of Agriculture, it was regularly introduced, it went to the Committee on Post Offices and Post Roads, and it is reported as an amendment to the bill. It seems to me that clearly takes it out of the category of being subject to a point of order.

Mr. SWANSON. Mr. President, in addition to what the Senator from Alabama has said, I desire to say that the margin between general and special legislation is sometimes very narrow. Take the view which the Senator from Colorado [Mr. THOMAS] has presented. This is not general legislation, because it is a special limitation of a special appropriation for good roads. It has been held repeatedly that limitations and conditions upon which expenditures are made for special purposes are not general legislation. The margin is so narrow as between what is considered general and what is considered special legislation that frequently when legislation applied to a special appropriation, such as good roads, or a special thing, such as a building—something that is special and not general in all of its characteristics—it has been held special legislation, especially if it came from a committee that had charge of the subject.

Mr. THOMAS. Mr. President, the claim that this is a special appropriation—

Mr. SWANSON. As I understand, the Senator's objection does not go to the appropriation, but simply to section 5 as an amendment to the existing law.

Mr. THOMAS. I can not very well make the point of order as to the succeeding sections until they are reached.

Mr. SMOOT. It is true that if this amendment were applied only to one road in the United States it would be special legislation; but it does not apply to one road; it applies to every post road in the United States, and so it is an amendment embodying general legislation.

Mr. THOMAS. I do not think there is any question about it.

Mr. SWANSON. I should like to ask the Senator from Colorado a question.

Mr. THOMAS. I yield to the Senator from Virginia.

Mr. SWANSON. General legislation, as I understand, would be legislation controlling all kinds of appropriations. For instance, if it were provided that no appropriation should be made for anything until the money is provided, that would be general in its character, whether it applied to roads, colleges, or what not; but this is something that applies especially to certain roads; it is especially road legislation. The only way to make it general is to say that it applies to all roads.

Mr. THOMAS. That would make an appropriation for the Navy Department special legislation for the Navy Department.

Mr. SWANSON. It has been so held in some cases. We have had cases here where it has been held that certain legislation in reference to the Navy Department was not general. It is a difficult question to determine, but such has repeatedly been the decision. There have been no consistent decisions about it. If legislation applied to everything in the Navy Department it was considered as general, but if it applied to a special thing in the Navy Department or to a special employee in the Navy Department or to a special class of employees, it was held to be special legislation.

Mr. THOMAS. Mr. President, the illustration which has been given by the Senator from Utah [Mr. Smoot] is so complete that I can not add to it.

Mr. WALSH. Mr. President—

The PRESIDING OFFICER. Does the Senator from Virginia yield to the Senator from Montana?

Mr. THOMAS. I yield to the Senator from Montana.

The PRESIDING OFFICER. The Chair begs pardon of the Senator from Colorado. The Chair overlooked the fact that that Senator had the floor.

Mr. THOMAS. That is not necessary, Mr. President.

Mr. WALSH. I also ask pardon of the Senator from Colorado.

Mr. THOMAS. That is not necessary.

Mr. WALSH. This thought has occurred to me in connection with the point of order now raised: I do not believe that the point of order can be successfully controverted, that the appropriation provided for in the succeeding sections—sections 6, 7, and 8—

Mr. SMOOT. That is another question.

Mr. WALSH. Well, we shall reach that directly.

Mr. THOMAS. I will say to the Senator from Montana that we are only considering one section.

Mr. WALSH. I understand the Senate is considering section 5, and the point of order is directed against and lodged at section 5. However, I was going to say to the Chair that I do

not believe a point of order could be successfully made against the appropriations provided for in the succeeding sections. I have no doubt that an appropriation for the purpose of improving post roads is entirely appropriate in a general appropriation bill; that is, in the general Post Office appropriation bill. Appropriations have frequently been made for the construction and maintenance, for instance, of pneumatic-tube routes for the transmission of mails; they have been made for the railway transmission of mails; and I do not doubt that in a general Post Office appropriation bill appropriations may properly be made for those purposes.

These appropriations follow, as provided for in sections 6, 7, and 8; and section 5, it occurs to me, is intended simply as a limitation upon the use of the money provided for in the succeeding sections. That, Mr. President, it has frequently been held is entirely proper—that an appropriation may be made and a limitation may be put upon the use of that appropriation.

Mr. THOMAS. In this instance the limitation is an extension. Let me ask the Senator from Montana right there, if he will permit me, this question: Suppose section 5 shall go out upon a point of order, will not the appropriation provided for in section 6 be equally effective? Is it in any way dependent upon section 5?

Mr. WALSH. It will be equally effective; but, Mr. President, the appropriations then provided for in the succeeding sections will not be expended in the way that they would if section 5 remained in the bill. In making appropriation for one of these purposes Congress has power to direct how that appropriation shall be used. In other words, if section 5 goes out, then the appropriations provided for in sections 6, 7, and 8 can be used only upon rural post roads as defined in the existing law. If section 5 remains in, then these appropriations will be used in another way and upon an extended class of roads. Therefore, Mr. President, to my mind section 5 operates as a limitation upon or a direction concerning the manner of the expenditure of the appropriations provided for in the succeeding sections.

Mr. THOMAS. Mr. President, section 5 is either a distinct amendment or it is not. We are treating it as a distinct amendment. Section 6, of course, is germane to the subject matter, as is also section 7, and perhaps the succeeding sections providing another appropriation for roads in the forest reserves.

The PRESIDING OFFICER. May the Chair ask the Senator a question? If sections 6 and 7 are germane why is section 5 not germane?

Mr. THOMAS. It is germane, but it is not a necessary part of either. These sections each stand by themselves. The Senate is now considering section 5. Section 5 assumes to amend a specific section of a preexisting act. Let us suppose there were no sections 6, 7, and 8 at all, would not this point of order be good? The amendment would be general legislation.

Mr. WALSH. I have no doubt about that.

Mr. THOMAS. The Senator from Montana says he has no doubt about it. Now, we are considering the section as a distinct section. I do not think there can be any question about it, whether it be considered in connection with section 6 or not.

Mr. WALSH. But, Mr. President, if the Senator will pardon me, I do not think we are permitted to consider it as a separate and distinct thing, as if there were nothing else in the bill.

Mr. THOMAS. I understand that.

Mr. WALSH. That would violate every rule of statutory construction, which requires us to take the whole thing into consideration in construing it.

Mr. THOMAS. I understand that that is the Senator's position; but, unfortunately for him, we are doing it.

Mr. SMOOT. Mr. President, will the Senator from Colorado yield to me?

Mr. THOMAS. I yield to the Senator from Utah.

Mr. SMOOT. Mr. President, I desire to say that, if the contention of the Senator from Virginia [Mr. SWANSON] is correct, then all of these sections will go out on a point of order; but I doubt whether he is correct.

The PRESIDING OFFICER. The Chair would like to ask the Senator from Utah a question. The Senator is a parliamentarian. This is something which bothers the Chair; and the Chair would like to have the Senator from Utah address himself to it. Why should not sections 5, 6, 7, and 8 all be considered as a whole?

Mr. SMOOT. There is no necessity for considering them as a whole. Section 5 simply proposes to amend the existing law so that certain moneys which are appropriated may be spread over roads that are now not entitled to any appropriation made by Congress. Therefore it is changing a general law.

Mr. STERLING. Mr. President, will the Senator from Utah yield to me?

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from South Dakota?

Mr. SMOOT. I yield.

Mr. STERLING. I desire to ask the Senator a question right there. Do not the appropriations provided for in section 6 depend upon the limitations in section 5?

Mr. SMOOT. No, Mr. President. Every cent of those appropriations can be expended whether section 5 remains as it is or whether it is amended.

Mr. STERLING. That may have been the moving consideration for the adoption and reporting of section 6.

Mr. THOMAS. It may be, but it is not the controlling feature of the point of order.

Mr. SMOOT. The only question—

The PRESIDING OFFICER. The Chair desires to ask the Senator from Utah, who is well versed in parliamentary law, a question. Suppose all of this question were embodied in one section—that is, that sections 5, 6, 7, and 8 were a whole instead of being divided up into four sections—would the amendment be germane or would it not?

Mr. SMOOT. Any Senator could then ask for a division of the question; I have no doubt about that. This is the subject, and I invite the attention of the Chair to the volume containing the precedents in the Senate of the United States. On page 60 it reads:

No subject is more widely discussed in the Senate during the consideration of appropriation bills and amendments thereto than the question, "What is general legislation on a general appropriation bill?"

Then it goes on to define "general legislation."

General legislation, that legislation which is applicable throughout the State generally, as distinguished from special legislation, which affects only particular persons or localities.

Mr. President, this amendment affects all of the States of the Union. It is therefore general legislation. There are no specific items to take into consideration. It is amending general law, and to-day that law is general legislation. I can not see but that the point of order to section 5 is well taken.

Then, further down on the same page of this volume, it is stated:

"General," with reference to the subject matter of the statute, is synonymous with "public" and opposed to "private," but with reference to the extent of territory over which it is to operate is opposed to "local" and means that the statute to which it applies operates throughout the whole of the territory subject to the legislative jurisdiction.

That is exactly what this amendment does. It operates in every State of the Union, not as to one State or one road, but it operates on every road in every State of the Union.

Mr. WALSH. Mr. President—

The PRESIDING OFFICER. Before the Senator from Montana proceeds the Chair would like to ask a further question of the Senator from Utah. The Senator says that the other three sections are not dependent upon section 5. The Chair will call the attention of the Senator to lines 4 and 5, on page 37, which read:

That for the purpose of carrying out the provisions of said act, as herein amended—

That would indicate that these sections are interdependent.

Mr. SMOOT. Mr. President, I have not said that the appropriation is not for the purpose of building roads, as provided in the amendment to section 2 of the existing law; there is no doubt about that; but if section 5 went out and this appropriation were made, by striking out the words "That for the purpose of carrying out the provisions of said act, as herein amended"—that is, section 2 of the act of July 11, 1916—it would be used the same as similar appropriations have heretofore been used and only upon the class of roads that are now being improved.

Mr. SWANSON. Mr. President, if the Senator will allow me for just a moment, it has been conceded that a limitation upon an appropriation as to its expenditure is not general legislation.

Mr. THOMAS. Who has conceded that?

Mr. SWANSON. The Vice President has so ruled repeatedly. If this is a limitation upon the expenditure of money, it is not general legislation, even from the Senator's standpoint. Now, let us see whether it is a limitation upon the expenditure. We have \$75,000,000 to be expended, whether section 5 prevails or not. This limitation upon the expenditure applies also to section 5, which stipulates that the appropriation can be expended only on a certain kind of road. It is a limitation as to the nature of the expenditure, as the Senator from Montana [Mr. WALSH] has well said. It simply limits the conditions under which this money is to be spent.

Mr. THOMAS. In other words, in the Senator's vocabulary "a limitation" and "an extension" are synonymous terms.

Mr. SWANSON. This amendment simply limits the character of roads on which the money can be expended.

Mr. THOMAS. It limits it to all the roads in the United States.

Mr. SMOOT. All that is necessary to answer that is to call attention to the fact that the amendment in section 5 is an amendment not by way of limitation, but to extend the number of roads on which this money can be expended.

Mr. SWANSON. A limitation may either extend or contract. The amendment provides certain channels where this money shall be spent. It defines the conditions under which this money must be expended. The department will have no right to spend it for every purpose or for every kind of road. This section provides a limitation upon the expenditure. There is a limitation provided in the present statute, if the Senator will permit me, and the amendment we propose now is likewise a limitation. Is not that true?

Mr. THOMAS. Mr. President, if I may ask the Senator a question, what class of roads in the United States, if this section is adopted, will be excluded from this appropriation?

Mr. SWANSON. Those that are not suitable for carrying the mails.

Mr. THOMAS. That is the very amendment that you have offered.

Mr. SWANSON. No; the provision says, "roads which are suitable." So the appropriation is limited to roads suitable for the carriage of the mail. If a road is not suitable for that purpose, the money can not be expended upon it.

Mr. THOMAS. It reads, "any public road which is now used, or may be made suitable, for the transportation of the United States mails."

Mr. SWANSON. If it is made suitable some of the appropriation may be expended upon it, but if it can not be made suitable to carry the mails, the department can not spend any money on it. It is perfectly plain.

Mr. THOMAS. It is as plain as mud.

Mr. WALSH. Mr. President—

Mr. THOMAS. I yield the floor to the Senator from Montana.

Mr. WALSH. Mr. President, I wish to follow the suggestion made by the Senator from South Dakota [Mr. STERLING] for the information of the Chair. Section 6, as the Chair has said, reads:

That for the purpose of carrying out the provisions of said act as herein amended, there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the following additional sums—

If section 5 goes out and sections 6, 7, and 8 are adopted, then the bill provides that the appropriations made by sections 6 and 8 are to be expended in accordance with the act "as hereby amended." Those appropriations can not be expended under the act as it was before; a limitation is put upon the use of the money appropriated by sections 6 and 7; and I insist that sections 6 and 7 would be utterly inoperative, even if adopted in this bill, if section 5 were taken out, unless, of course, they were amended so as to eliminate the words "as herein amended." That is to say, Mr. President, in construing the act the court would be obliged to say, "You can not spend this money in accordance with the act as it was passed a year or two ago, because it must be expended only under the provisions of that act as amended."

Mr. THOMAS. Mr. President—

The PRESIDING OFFICER. Does the Senator from Montana yield to the Senator from Colorado?

Mr. WALSH. In just a moment. Therefore, I insist that we can not dissociate these three sections; we must construe them together in order to arrive at a just conclusion upon this matter.

I now yield to the Senator from Colorado.

Mr. THOMAS. In the event the point of order is sustained, could not the Senator from Montana or some other Senator very easily move to strike out the words "as herein amended" in the second line of section 6?

Mr. WALSH. Quite so.

Mr. THOMAS. And would not the appropriation which it carries then be applicable under the bill?

Mr. WALSH. Undoubtedly. It would be then expended under the law as it now stands; but, Mr. President, I desire the Senator from Colorado to assume that the subsequent section is not amended and that those words are left there.

Mr. THOMAS. Before that, let me ask the Senator another question. Let us assume, for the sake of the argument, that

there were no sections dividing the subjects matter, would not that part of it now included in section 5 then be subject to a demand for a separate vote or to a point of order?

Mr. WALSH. I dare say it would; but then the question would be squarely put up to the Senate as to whether they desired to make this appropriation expendable under the provisions of the law as it stands or to make it expendable only under the amended act.

Mr. THOMAS. Then, Mr. President, if I understand the position of the Senator, it leads to this necessary result, that a point of order that a certain proposed amendment is general legislation depends upon whether it is accompanied by an appropriation the expenditure of which depends upon whether or not that point of order is sustained. If it carries an appropriation, even in another section, the appropriation and the purpose of it must necessarily be considered in connection with the point of order for the purpose of determining whether it was within or without the rule of the Senate.

Mr. WALSH. The Senator is quite right in the general idea expressed in his language, although I do not approve of the language; but it has been repeatedly determined in this body that when an appropriation is made with a provision accompanying it limiting or directing the manner in which that appropriation is to be used, it is immaterial that it amends a general law; in other words—I have not expressed it quite right—it is immaterial that it directs the expenditure of that money in a way that is different from the general law.

Mr. THOMAS. I will say to the Senator that if he can find a precedent which sustains that proposition I will concede the point. It does not exist; it is incredible, Mr. President—and I am sorry that I am unable to express myself in appropriate language; I try to—it is incredible to me that the question of whether a proposed amendment is or is not general legislation shall depend upon whether it is or is not accompanied by an appropriation. Certainly there is nothing in the rule to justify that contention; and if it were so, then by the simple device of adding an appropriation to the proposed change we might put anything on a general appropriation bill in the way of general legislation, notwithstanding the inhibition of the rule.

Mr. STERLING. Mr. President, just one word. I think I have heard it ruled in the Senate again and again that words which limit an appropriation, the uses and application of that appropriation, are not words of general legislation.

Mr. THOMAS. Can the Senator find a precedent to that effect?

Mr. STERLING. The tendency is to construe the word "limitation" as meaning "to cut down." The word "limitation" as we use it here bears no such construction. The word "limitation" means to prescribe, to fix limits. They may be broad or they may be narrow, so far as that is concerned; but words which define to what the appropriation shall go are words of limitation, be they never so broad or be they limited or narrow. I think the word "limitation" is often used in that sense when we come to construe a statute. I call attention to the definition of the word, as follows:

Limitation: To bound; the act of bounding; circumscribing; the fixing of a limit or restriction.

The language in section 5 does fix a limit or a restriction. It provides that the appropriation shall be expended on those roads which are now post roads or on those roads which may be made suitable for post roads. That limits the appropriation, and I think nothing can be clearer. It is my clear recollection, without being able to refer to specific cases now, that the Chair has ruled again and again that language in the bill by way of an amendment which limits the expenditure of an appropriation provided for in the bill is not general legislation.

Mr. THOMAS. Mr. President, may I ask the Senator if the word "limitation" does not imply something outside of—something beyond—the particular thing limited?

Mr. STERLING. I think it does; certainly.

Mr. THOMAS. If you include post roads and any road "that may be made suitable," what remains outside of that definition?

Mr. STERLING. I am taking the language now as it is. It is limited to those roads that are post roads and those that may be made suitable for post roads. That is a limitation, whatever you may say about the extent of the limitation.

Mr. WALSH. Mr. President, if the Senate will indulge me for just a moment, the Senator from Colorado asked for a precedent.

Mr. THOMAS. Yes.

Mr. WALSH. I refer the Chair to pages 22 and 23 of the second volume of Precedents, in which the views of former

President pro tempore Clarke, of Arkansas, are found. I read from the Precedents as follows:

[Sixty-third Congress, second session.]

MAY 2, 1914.

On motion, the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 13679) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1915.

On an amendment increasing the salary of the Assistant Secretary of Agriculture to \$6,000, as follows:

"Provided, That if the position is held by any other than the present incumbent the salary shall be reduced to \$5,000."

Mr. CLARK of Wyoming. I make the point of order against the proviso that it is legislation upon an appropriation bill.

Mr. GORE. I think the proviso is subject to a point of order.

The PRESIDENT pro tempore (Mr. Clarke of Arkansas). The Chair is not disposed to take the view that this limitation or direction as to the manner in which a specific sum of money is to be expended is general legislation in the sense of our rule on the subject. The Senator from Wyoming [Mr. Clark], however, spoke to the contrary with such confidence that he has raised a doubt in the mind of the Chair.

The Chair will state that his ruling is in line with a precedent made when we had under consideration an item in an appropriation bill providing that certain officers should be exempt from the operation of the civil-service law. The appropriation was designed to make a certain investigation in connection with this class of officers, and the Senator from North Carolina made the point, and the Vice President sustained it, that any legislation which sought to give direction for the expenditure of, or place a limitation upon, a particular item of appropriation was not subject to that point of order; that it was not general legislation. If Congress has power to appropriate the money, it has an incidental right to say how it shall be actually expended. The Chair holds that the point of order is not well taken.

Mr. SMOOT. Mr. President, I remember the case very well. That was no general legislation, and Senator Clarke was perfectly correct in deciding the way he did. That was an appropriation of \$6,000 for one individual. It was special legislation and not general legislation; and therefore the President pro tempore ruled exactly right.

Mr. CALDER. Mr. President, if the Senator will kindly yield—

Mr. SMOOT. I yield to the Senator from New York.

Mr. CALDER. It is necessary for me to attend a meeting of the Committee on Appropriations. I desire to offer an amendment to the next section, and have it lie on the table and be noted. I desire to ask the Chair to have me notified before the next section is disposed of.

The PRESIDING OFFICER. Without objection, that will be done.

Mr. SMOOT. Mr. President, just a word in relation to a statement that was made by the Senator from South Dakota, and that was that whenever there was an appropriation made it was held that it was not general legislation.

Mr. STERLING. No.

Mr. SMOOT. I understood that to be the Senator's statement. What did the Senator say?

Mr. STERLING. No; I said the words of limitation prescribing the extent or the manner in which the appropriation should be used are not general legislation.

Mr. SMOOT. Why, Mr. President, general legislation, as it has been held in this body ever since I have been a Member of it, is legislation that is general in character, which does not apply to any one section of the country, or to any one class of employees of the Government, or to one person employed by the Government, but legislation general in its scope, applying to all parts of the United States and to every State in the Union alike. That is general legislation.

As far as I am concerned, I will say that I can not for the life of me see why this is not general legislation. It is claimed that the amendment is a limitation. The present law limits the expenditure of money to certain routes. The object of the amendment is that that limitation shall not be further limited or restricted, but that it shall be expanded so as to take in all of the roads of the United States. As far as that is concerned, Mr. President, the wording as it is in this section is unlimited, and therefore the question of limitation does not apply in the least.

Mr. STERLING. Mr. President, if there is any road in the United States that may not be made suitable as a post road, this will not apply. It is to that extent a limitation.

Mr. SMOOT. I will ask the Senator if there is a road in the United States that can not be made suitable for a post road?

Mr. STERLING. I do not know whether there is not, but there easily might be.

Mr. SMOOT. I can not conceive of one.

Mr. STERLING. I think perhaps this would be taken into consideration, as to whether the postal business will warrant the construction of a post road.

Mr. SMOOT. But it does not say so. It is unlimited.

Mr. SWANSON. Mr. President, I should like to ask the Senator a question. To my mind there is no doubt that this \$200,000,000 is absolutely in order. It seems to me that there can

be no question about that. First, it is estimated for, which makes it in order under the rule; second, it is reported by a standing committee of the Senate. Consequently you agree that section 6 is in order.

Mr. THOMAS. I do not.

Mr. SWANSON. I am addressing myself to the Senator from Utah.

Mr. THOMAS. But the Senator said it was agreed.

Mr. SWANSON. I mean by the Senator from Utah. I suppose the Senator from Utah will agree that under the rules the \$200,000,000 appropriation is in order, being estimated for, and being reported by a standing committee of the Senate, as a new item.

Mr. SMOOT. I think myself that if it has been estimated for and reported by a standing committee of the Senate on an appropriation bill, it is in order, and the point of order will not lie against it.

Mr. SWANSON. Now, that is plain. It has been reported by a standing committee of the Senate, and is included in this bill, and therefore it is in order.

The PRESIDING OFFICER. In other words, as the Chair understands the Senator from Utah, the point of order would not lie as to sections 6, 7, and 8.

Mr. SMOOT. No; that is my opinion only; but I wish to say that it does not necessarily follow that no amendment could be made to those sections.

Mr. SWANSON. Of course; but it is in order for discussion, and the point of order can not be made against it, because it has two things that put it in order: It has been estimated for and it is reported by a standing committee of the Senate under the rules. Now, if that is in order, section 5 simply limits the conditions under which the money appropriated in sections 6 and 7 can be expended.

Under the rules, whether it is a general limitation or a special limitation makes no difference. Limitations can be either broadening or they can be narrowing. The Senator has an idea that it is not a limitation unless it is narrowing. A limitation is something that fixes the method in which money is spent.

Sections 6 and 7 are clearly in order. There can not be any dispute about that, it seems to me, for two reasons. Now, then, all that section 5 does is to limit the conditions under which the money appropriated under sections 6 and 7 can be used. To my mind it is clearly a limitation.

Mr. SMOOT. Mr. President, it is an amendment of a law on the statute books to-day, and that law limits any appropriation that has been made for the purpose of building roads.

Mr. SWANSON. If the Senator will permit me—

Mr. SMOOT. And now it is proposed to amend section 2, and the amendment is not a limitation, but it is a broadening provision, and there is no limit on it. There is not a road in the United States that can not be made suitable for a post road.

Mr. SWANSON. Let us see what would be the result of the contention made by the Senator from Utah. He concedes that you can appropriate money, but he contends that you can not change the limitations under which it has to be spent; that when an appropriation of money is made by a new item, for all time in the future it must be subject to the old limitation of expenditure.

Mr. SMOOT. Mr. President, the Senator is wrong. There is a way of changing general legislation; but our rules have said that it shall not be upon an appropriation bill. There is no question but that a bill could be introduced into Congress amending section 2 of the act of July 11, 1916, in any way—limiting it, or extending it, or making any change even to the repeal of it—but the rules say that you shall not do it upon an appropriation bill.

Mr. SWANSON. No; the rules forbid general legislation on an appropriation bill, which would mean that you could not put an entire road law on this.

Mr. SMOOT. Why so?

Mr. SWANSON. But if we come here and simply change the limitation in the old law, and this same limitation is applied with an amendment to this expenditure, the Senator admits that that is in order. To decide otherwise would be to say that Congress has the power to increase an appropriation and make it larger, but that it can not alter the limitation under which it is spent.

The PRESIDING OFFICER (Mr. McKellar). A point of order is raised by the Senator from Colorado [Mr. Thomas] to section 5 of the bill because he states it comes within the prohibition of subsection 3 of Rule XVI. That subsection reads as follows:

No amendment which proposes general legislation shall be received to any general appropriation bill, nor shall any amendment not germane or relevant to the subject matter contained in the bill be received; nor shall any amendment to any item or clause of such bill be received

which does not directly relate thereto; and all questions of relevancy of amendments under this rule, when raised, shall be submitted to the Senate and be decided without debate; and any amendment to a general appropriation bill may be laid on the table without prejudice to the bill.

That rule has come up very frequently for a ruling by the Chair, as it seems from the precedents, and apparently there is a good deal of confusion as to the rulings of previous presiding officers; and very naturally so, because the rule itself is neither clear nor accurate, and it does seem to the Chair that the rule itself needs amendment and clarification. The Chair calls attention of the Senate to pages 60 and 61 of the Precedents of the Senate, which apparently forms a good rule by which this matter should be determined:

In deciding whether or not a given law is general, the purpose of the act and the objects on which it operates must be looked to. If these objects possess sufficient characteristics peculiar to themselves and the purpose of the legislation is germane thereto, they will be considered as a separate class, and legislation affecting them will be general; but if the distinctive characteristic of the class have no relation to that purpose of the legislation, or if objects which would appropriately belong to the same class have been excluded, the classification is faulty, and the law not "general." The effect, not the form of the law, determines its character.

Upon an examination of the four sections which constitute this amendment, it is virtually conceded by Senator Smoot, who is an able parliamentarian, that sections 6, 7, and 8 are not subject to points of order. If sections 6, 7, and 8 are not subject to points of order—and the Chair does not think that they are subject to points of order—then it seems to the Chair to be beyond controversy that section 5 is a limitation upon the other sections named, and therefore—

Mr. THOMAS. Mr. President, before the decision is announced, in view of what the Chair has said—

The PRESIDING OFFICER. Will the Senator just wait one moment until the Chair makes one other observation?

Mr. THOMAS. I simply wished to interpose a suggestion before the final decision was announced.

The PRESIDING OFFICER. The Chair will permit the Senator to do that.

The Chair is also of opinion that the ruling referred to by the Senator from Montana [Mr. WALSH] is in point. In that ruling there was an amendment increasing the salary of the Assistant Secretary of Agriculture to \$6,000, which amendment read as follows:

Provided, That if the position is held by any other than the present incumbent the salary shall be reduced to \$5,000.

After careful consideration, the President pro tempore of the Senate, Mr. Clarke of Arkansas—whom we all know to have been a great parliamentarian—decided that the point of order was not well taken. Later on, in connection with the same bill, a little lower down on the page, there was another amendment offered by the Senator from Oklahoma [Mr. GORE], as follows:

Provided, That no part of this sum of \$628,240 shall be used in connection with any money contributed or tendered by the General Education Board or any like organization.

The Senator from Virginia [Mr. MARTIN] raised a point of order against that language, and that point of order was overruled. Surely, if those two matters were not general legislation, it seems to the Chair that section 5 is not general legislation.

The Chair also calls the attention of the Senate to a ruling made on May 15, 1914, where the provision was as follows:

Provided, That of the sum thus appropriated \$100,000 shall be used for furnishing the primary markets in the cotton-growing States with a set of the samples as standardized by the Government and a sample of the bleached and unbleached yarns made from the different grades, showing the waste, tensile strength, and bleaching quality thereof.

And a point of order was overruled to that provision on the ground that it was not general legislation.

Mr. SMOOT. And that was right, too.

The PRESIDING OFFICER. The Chair will now hear the Senator from Colorado.

Mr. THOMAS. Mr. President, the Chair stated at the commencement of his opinion that, inasmuch as no point of order had been presented to the succeeding sections, the Chair would regard section 5 as a limitation upon the appropriation, and therefore not general legislation.

The PRESIDING OFFICER. The Senator misunderstood the Chair. The Chair said that, it being virtually conceded, because of the fact that those sections were reported from a standing committee, and because they were estimated for, that sections 6, 7, and 8 were not subject to a point of order, the Chair thought that section 5 was a limitation upon those sections.

Mr. THOMAS. That is a statement of the same thing in different language. I have a point of order, Mr. President, to section 6, which is founded upon section 2 of Rule XVI, which provides that—

All amendments to general appropriation bills moved by direction of a standing or select committee of the Senate, proposing to increase an appropriation already contained in the bill or to add new items of appropriation, shall, at least one day before they are considered, be referred to the Committee on Appropriations—

And the chairman of the committee in charge of this bill informs me that no such reference was made. Hence I think it is subject to a point of order, on the ground that the amendment has been reported without compliance with that section of the rule. So if that be a substantial point of order, and should be sustained, then the reasoning of the Chair, or, at least, the preliminary reasoning of the Chair, with regard to the subject matter of the first point of order falls to the ground.

The PRESIDING OFFICER. Subsection 3 of Rule XVI provides that this matter may be settled by the Senate without debate. The Chair first thought that that was the proper way, to settle this matter, but the doubt the Chair had it no longer has. Therefore the point of order is overruled, and the Senator from Colorado may appeal from the decision of the Chair if he is not satisfied with it. The Chair trusts he may appeal, because the matter is doubtful and the Senate should decide it.

Mr. THOMAS. Oh, I shall not appeal. I know that the Senate is hungry for this \$200,000,000. The position taken by the Chair will be sustained, and I shall not waste time upon it. But inasmuch as the Chair has virtually decided that these three sections are practically the same thing, I wish to submit, in the discharge of what I conceive to be my duty, the point of order to section 6 which I have just stated.

Mr. SMOOT. Mr. President, I am compelled to go to the Committee on Appropriations. That committee desires to report out the legislative appropriation bill and is in session now. I wanted to offer a substitute for section 6, and I am going to ask the chairman of the committee if he will not let section 6 go over until to-morrow, and take up the other questions that were passed over in the bill for the balance of the day.

Mr. THOMAS. Mr. President, I make the point of order.

Mr. BANKHEAD. I understand that the Senator from Utah desires to offer a substitute for section 6.

Mr. SMOOT. Yes.

The PRESIDING OFFICER. The Chair will call the attention of the Senator from Utah to the fact that he has an amendment pending to section 5.

Mr. SMOOT. I have already had my amendment printed, but, of course, I did not want to offer it until section 6 is finally decided upon, so that there are to be no further amendments to it.

Mr. THOMAS. Does the Senator from Utah want the point of order which I have suggested to section 6 also to go over?

Mr. SMOOT. Oh, no; I do not want the point of order to go over. The Senator can make that; but, as I have to leave the Chamber, I do want section 6 to go over to-night, and I want to offer a substitute for it when it is in order.

Mr. BANKHEAD. If section 6 is going over to-night, I want the point of order to go over, too.

Mr. SMOOT. That will be all right; and I think it will be just as well to let it go over.

The PRESIDING OFFICER. The Chair will call the attention of the Senator from Utah to the fact that the Senator has an amendment pending to section 5.

The SECRETARY. The amendment is to strike out "or" and insert "and" in line 22.

Mr. SMOOT. The Senator having the bill in charge has asked that that be reconsidered; and the whole matter can be settled in a very little while.

The PRESIDING OFFICER. Is there objection to the amendment of the Senator from Utah?

Mr. SMOOT. Yes; I understand that the Senator having the bill in charge objected to it.

Mr. BANKHEAD. Yes; I objected to that, and it was reconsidered, and it is now open, before the Senate.

Mr. SMOOT. And I want it all passed over until to-morrow morning.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KING. Mr. President, do I understand that section 5 is passed over, as well as the following sections relating to roads?

The PRESIDING OFFICER. Yes; it has all been passed over. The Secretary will resume the reading of the bill.

The reading of the bill was resumed.

The next amendment of the Committee on Post Offices and Post Roads was, on page 39, line 3, to change the number of section from 5 to 9.

The amendment was agreed to.

The reading of the bill was concluded.

Mr. FRANCE. Mr. President, I offer an amendment, which I think is acceptable to the chairman and which has the approval of the department.

The PRESIDING OFFICER. The Senator from Maryland offers an amendment, which will be stated.

The SECRETARY. On page 15, line 22, where it reads:

For street-car collection service, \$9,000.

It is proposed to strike out the numerals "\$9,000" and to insert in lieu thereof the following:

\$19,000: *Provided*, Of this amount the Postmaster General, in his discretion, may expend not to exceed \$10,000 in experimenting and testing a method of rapid collection of letter mail in suburban territory.

Mr. BANKHEAD. Mr. President, the amendment is strongly urged by the Post Office Department, and I see no objection to it; and as far as I am concerned I will accept it.

The PRESIDING OFFICER. The question is upon agreeing to the amendment offered by the Senator from Maryland.

Mr. WADSWORTH. Mr. President, may I have the amendment stated again?

The PRESIDING OFFICER. The Secretary will again state the amendment.

The Secretary again stated the amendment.

Mr. WADSWORTH. Can the Senator from Maryland give us some idea as to the nature of these experiments—what is had in mind by the department? I have noticed that when a sum is appropriated for carrying on an experiment it is the beginning of a large list of appropriations, which generally extend for many years in the future. What is this?

Mr. FRANCE. This will not involve any large expenditures in the future. It is merely to provide for experimentation with a device by which the mail may be easily collected by suburban trolley cars. I do not feel that it will involve any large expenditure.

Mr. VARDAMAN. Mr. President, I will ask the Senator to speak a little louder.

Mr. WADSWORTH. The Senator states that it is a device by which mail may be collected by suburban trolley cars?

Mr. FRANCE. A device by which suburban trolley cars easily collect the mail, bringing it in to a central point.

Mr. WADSWORTH. I assume that some one must alight from the car and take the mail out of the mail box.

Mr. FRANCE. Not at all. This is a device which can be placed upon either the front or the rear of the car, entirely uncovered and accessible to all, so that a letter can be dropped into the box without any difficulty; but the nature of the device is such that while it is entirely open and without top, the rain can not get to the mail. I shall be very glad to submit, in this connection, the letter from the Postmaster General.

Mr. WADSWORTH. I do not wish to criticize the device or any effort made to expedite the collection of mail; but it seems very strange that it should require \$10,000 to put those things upon the front or rear of a trolley car.

Mr. FRANCE. The Senator will note from the language of the amendment that the whole of the sum of \$10,000 need not be expended.

Mr. WADSWORTH. Oh, but it will be; the Senator from Maryland need not have any doubt about that.

Mr. FRANCE. It is within the discretion of the Postmaster General to determine how much of this sum will be required for this experiment. I hope the Senator will not object, as I have had the matter up with the department, and I feel that the department is quite in favor of this appropriation for this experimentation.

Mr. WADSWORTH. I have no doubt the department is, Mr. President. Did the Senator ask that a letter might be read?

Mr. FRANCE. I ask that the letter may be read.

Mr. WADSWORTH. It may explain it.

The PRESIDING OFFICER. The Secretary will read the letter, in the absence of objection.

The Secretary read as follows:

OFFICE OF THE POSTMASTER GENERAL,
Washington, D. C., January 25, 1919.

Hon. J. H. BANKHEAD,
Chairman Committee on Post Offices and Post Roads,
United States Senate.

MY DEAR SENATOR BANKHEAD: In answer to your inquiry relative to an amendment proposed by Senator FRANCE to the Post Office appropriation bill, appropriating \$10,000 for experimental street-car collection service, I wish to state that it is the judgment of the First Assistant Postmaster General that this appropriation should be made, as it is believed that a service of this character can be used to advantage in certain cities where the street cars all diverge from one center or point. An appropriation of the amount mentioned above would be sufficient to determine the feasibility of such service. Instead of making this a separate item, it is believed that it should be included in item 19, page 30, of the committee print of the bill, which can be done by increasing the amount for street-car collection service from \$9,000 to \$19,000. The amendment, therefore, has my approval.

Respectfully,

A. S. BURLISON, Postmaster General.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Maryland.

Mr. WADSWORTH. I simply desire to remark that after hearing the letter read, I know nothing more about it than I did before.

Mr. KING. I should like to ask the chairman of the committee or the Senator from Maryland if there is not a general fund provided which authorizes the Postmaster General and the various heads of departments to conduct legitimate and proper experiments with a view to improving the service? I understand there is a contingent fund at the disposal of the Postmaster General which would permit reasonable experimentation with respect to devices, and so forth, necessary for the improvement of the service.

Mr. BANKHEAD. There is such a fund, but it does not apply to experiments like this.

Mr. WADSWORTH. Can the Senator state something as to the nature of this experiment? What is so mysterious about this matter of collecting letters in mail boxes?

Mr. BANKHEAD. There is nothing mysterious about it. I do not care anything about it. I do not care whether it goes in the bill or not. The Postmaster General thought it ought to go in.

Mr. WADSWORTH. I know \$10,000 amounts to nothing at all.

Mr. BANKHEAD. The Postmaster General explained it in the letter which has been read. He explains that you can not use this device on all the street railways of the country, but there are a great many places in the country where the cars congregate at one place and bring in mail from the country. The purpose of this device, I understand, is to attach it on the side of a street car which goes through the country and wherever it stops, wherever a passenger gets off or on, even when it goes by, if it is not going too fast, anybody can drop a letter into the box and it is delivered at the place where the cars congregate in the city. It is believed that it will be a very convenient and appropriate thing to experiment and try out. That is the view of the Post Office Department.

Mr. WADSWORTH. For the life of me I can not understand why there is anything original in the idea. It is simply tacking a mail box to a trolley car and letting people drop letters in it, so far as I can see, and now we are asked to appropriate, it is true, an infinitesimal sum. Ten thousand dollars means nothing, I suppose. I shall ask for a vote on the amendment.

Mr. KENYON. I would like to inquire if it is to be placed on the street cars of Washington?

Mr. BANKHEAD. No; the Postmaster General will not attempt to use it on the street cars of Washington. The Senator very well knows that, too.

Mr. KENYON. There might be more space for people to ride on. [Laughter.]

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Maryland [Mr. FRANCE].

On a division, the amendment was rejected.

Mr. MOSES. I wish to offer an amendment.

Mr. BANKHEAD. I ask the Senate to return to page 16, line 22.

The PRESIDING OFFICER. The Chair will say to the Senator from New Hampshire that only committee amendments are now in order. The Chair will recognize the Senator from New Hampshire a little later. The amendment of the committee which was passed over will be read.

The SECRETARY. On page 16, line 22, after the words "*Provided further*," the committee report to strike out:

That out of this appropriation the Postmaster General is authorized to expend not exceeding \$300,000 for the purchase of aeroplanes and the operation and maintenance of aeroplane service between such points as may be determined. That the Postmaster General in expending the appropriation herein for aeroplane service shall purchase, so far as possible, the aeroplanes, motors, equipment, and supplies from the War Department and Navy Department when no longer required because of the cessation of war activities. It shall be the duty of the Postmaster General before purchasing any of such articles to ascertain whether the War or Navy Department has articles of the character described that are serviceable. And articles purchased from either of said departments, if the same have not been used, shall be paid for at a reasonable price, not to exceed actual cost, and if the same have been used, at a reasonable price based upon length of usage. Said departments are authorized to sell such articles to the Post Office Department under the conditions specified, and the proceeds of such sales shall be covered into the Treasury as a miscellaneous receipt: *Provided further*, That the Secretary of War is hereby directed to deliver immediately to the Postmaster General 100 De Havilland four aeroplanes, 100 Handley-Page, 10 Glen Martin day bombers, all planes completely assembled and with the necessary spare parts; also 100 extra Liberty engines with spare parts, 50 Hispano-Suiza engines with 300-horsepower motors, and 20 Hispano-Suiza engines with 150-horsepower motors, the same to be out of any equipment that the War Department has on hand or under construction, the War Department appropriation to be credited with the equipment turned over to the Post Office Department: *And provided further*, That separate accounts be kept of the amount expended for aeroplane service, and that no part of said sums shall be expended for the maintenance or operation of the aeroplanes above directed to be delivered to the Postmaster General by

the Secretary of War, but such machines shall be operated and maintained by the personnel of the Air Service of the Army, under the control and direction of the Postmaster General.

And to insert:

That out of this appropriation the Postmaster General is authorized to expend not exceeding \$850,500 for the purchase of aeroplanes and the operation and maintenance of aeroplane mail service between such points as he may determine. The Postmaster General in expending this appropriation shall purchase, as far as practicable, such available and suitable equipment and supplies for the aeroplane mail service as may be owned by or under construction for the War Department or the Navy Department when no longer required because of the cessation of war activities, and it shall be his duty to first ascertain if such articles of the character described may be secured from the War Department or the Navy Department before purchasing such equipment or supplies elsewhere. If such equipment or supplies are purchased elsewhere than from the War Department or the Navy Department, the Postmaster General shall report such action to Congress, together with the reasons for such purchases. All articles purchased from either of said departments, if the same have not been used, shall be paid for at a reasonable price not to exceed actual cost, and if the same have been used, a reasonable price shall be paid therefor, considering wear and tear and general condition. Said departments are authorized to sell such equipment and supplies to the Post Office Department under the conditions specified, and the proceeds of such sales shall be covered into the Treasury as miscellaneous receipts: *Provided further*, That the Secretary of War and the Secretary of the Navy are hereby authorized and directed to deliver immediately to the Postmaster General, as he may request, and as hereinbefore provided, such aeroplane machines, supplies, equipment, and parts as may be serviceable and available for the aeroplane mail service, the same to be out of any equipment that the War Department or the Navy Department has on hand or under construction, the War Department and the Navy Department appropriations to be credited with the equipment turned over to the Post Office Department: *And provided further*, That separate accounts be kept of the amount expended for aeroplane mail service.

So as to make the clause read:

For inland transportation by railroad routes and aeroplanes, \$59,625,000: *Provided*, That not to exceed \$1,000,000 may be expended for payment of freight and incidental charges for the transportation of mails conveyed under special arrangement in freight trains or otherwise: *Provided further*, That out of this appropriation the Postmaster General is authorized to expend not exceeding \$850,500 for the purchase of aeroplanes, etc.

Mr. KING. The Senator from Washington [Mr. JONES] is interested in this amendment and I do not see him in the Chamber. It went over at his request. I ask the Senator from Alabama if he will not consent that the amendment may be passed over until the Senator from Washington is in the Chamber?

Mr. BANKHEAD. Can the Senator tell me when the Senator from Washington will be in the Chamber? He may not be here before next week.

Mr. KING. I will make inquiry and ascertain. I am sure he has not left the city.

Mr. NEW. I know the Senator from Washington is interested in this committee amendment. So am I on another matter. I will offer an amendment to the amendment. I move to strike out "\$850,500," where it appears in line 12, on page 18, and insert the figures "\$300,000."

Mr. KING. Will the Senator accept an amendment to make it \$100,000? If not, I shall offer an amendment to his amendment.

Mr. NEW. I hesitate to accept the amendment. I shall not fight the Senator's amendment to my amendment very vigorously, however, if it is offered; but I offer the amendment to make the figure "\$300,000" in place of "\$850,500," in line 12 on page 18.

Mr. JONES of Washington entered the Chamber.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Indiana [Mr. NEW] to the amendment of the committee.

Mr. NEW. On this subject I should like to say just a few words. I am offering this amendment not because I do not believe the airplane is going to come into pretty general use in the transportation of mail—at least much more general use than is found for it now—but I am offering it because I believe, and, in fact, I am absolutely confident, that the Post Office Department is not equipped at present to carry on any extended operations of that character. I believe \$300,000 is fully as much money as should be given for the kind of experimentation it has in mind at this time.

I have no doubt whatever that if \$850,500, which is provided in the committee amendment, is given, the money will be spent, and it will be added to what has already been spent without compensating results in the field of airplane experimentation. I do not believe the service is at all constituted to spend \$850,500 intelligently or to advantage at this time.

Mr. BANKHEAD. Mr. President, I wish to say one word with reference to this item.

In the last Congress \$300,000 was appropriated for this experiment. The Postmaster General organized a route from here to New York and he has been experimenting with it. He came before the committee and insisted that he could not make a fair

experiment on one short route, and he wanted to get an appropriation sufficient to enable him to experiment on two routes, suggesting that one should start at Boston and end at Norfolk and the other from New York and end in Chicago or some point in that vicinity. If he had money enough to make these two experiments and put on these two routes, he felt that he would be able to report to the next Congress whether it would be advisable to continue this service or whether it would be advisable to further experiment with it.

Now, that is the reason why the appropriation was increased from the \$300,000 given last year to the amount contained in the bill as reported by the committee. With the appropriation provided in the last act he can establish only one route. With the increased appropriation that the committee reports he can establish two experimental routes of considerable length, his contention being that he can not make a fair experimental test on a short route and that he ought to be permitted to cover more territory and more extensively experiment as to whether the project is feasible and one that it would be desirable to continue.

That is the whole question, as I understand it. If the Senate of the United States thinks we ought not to enter upon these experiments on the subject of airplane mail the Senate can vote the amendment out or reduce the amount. My own judgment is that the Postmaster General ought to be permitted to make the experiment or the experimentation ought to be stopped entirely. He came before the committee and stated that he can not experiment on one short route; that he can not reach a conclusion that is satisfactory to himself or to the Post Office Department with the experiments that he is permitted to make with an appropriation of \$300,000. It is perfectly evident from his statement that he can not put on any other route with an appropriation of \$300,000, and he will have to continue with the one that he has established from here to New York. That route, he says, is too short to make a fair experiment.

Mr. FLETCHER. I wish to ask the Senator whether it is necessary to build special airplanes for this service. Have we not airplanes already constructed sufficient to supply the service?

Mr. BANKHEAD. If the Senator will read the provision in the bill he will ascertain how these airplanes must be obtained and from where. We provide in the amendment that the Postmaster General shall get airplanes from the Secretary of the Navy and the Secretary of War.

Mr. FLETCHER. What I am particularly interested in is whether it is necessary to build special planes for this service.

Mr. BANKHEAD. Oh, no.

Mr. FLETCHER. Then, another question occurs to me. The Senator seems to have based his contention that the item ought to be retained on the theory that it is necessary in order to make a full and complete experiment.

Mr. BANKHEAD. That is my contention.

Mr. FLETCHER. But the item says that it is for the purchase of airplanes, and the operation and maintenance of airplanes.

Mr. BANKHEAD. I ask the Senator to go on and read the balance of the amendment.

Mr. FLETCHER. That is the whole sentence. Then it proceeds:

That out of this appropriation the Postmaster General is authorized to expend not exceeding \$850,500 for the purchase of aeroplanes and the operation and maintenance of aeroplane mail service between such points as he may determine.

Mr. BANKHEAD. The next part of the amendment shows how the Postmaster General may obtain planes.

Mr. FLETCHER. It does speak about how he shall obtain them, but the point I make is that it does not specify that the appropriation of \$850,500 is for experimental purposes, but rather for the purchase of airplanes and the operation and maintenance of airplanes. That seems to be the language of the amendment.

Mr. BANKHEAD. That is the language of the last clause.

Mr. KELLOGG. Will the Senator inform us what the result of the experiment has been between Washington and New York, as to the amount of mail carried and as to the financial returns, because I suppose everybody knows—

Mr. BANKHEAD. The testimony before the committee and the report of the Postmaster General, which is found on pages 16 and 17 of the hearings, would indicate that the experiment as made was somewhat of a failure as to the revenues derived. Nobody claims that it is self-sustaining on the short route from here to New York. The Postmaster General does not make such a claim.

Mr. KING. Were we not assured by Mr. Praeger—I think he is the Second Assistant Postmaster General—

Mr. BANKHEAD. He is.

Mr. KING. Or at least by some one who assumed to speak for the Post Office Department, that there would be a revenue in the airplane mail service? As I recall the debate when the last appropriation bill was before the Senate, some statement was made which indicated that it would be profitable, that the people would avail themselves to a very large extent of the airplane service in the transmission of mail.

Mr. BANKHEAD. I think that was the original idea of the Second Assistant Postmaster General, but to be perfectly frank, the department has not had a fair opportunity to make the experiment and determine whether the service should be permanent.

Mr. McKELLAR. Mr. President—

The PRESIDING OFFICER (Mr. SUTHERLAND in the chair). Does the Senator from Alabama yield to the Senator from Tennessee?

Mr. BANKHEAD. I yield.

Mr. McKELLAR. I wish to direct the attention of the Senator from Utah to the testimony of Mr. Praeger, who has this matter in charge. It is found on page 88 of the Senate committee hearings:

Senator HARDWICK. As I understand it, we only have one route actually established and in operation, and that is between Washington and New York.

Mr. PRAEGER. Yes, sir; only one route, and it carried seven thousand four hundred and odd pounds of aeroplane mail at the aeroplane rate of postage; and the receipts from that were \$60,653.28.

Senator HARDWICK. You get that much in actual money from the mail you carried?

Mr. PRAEGER. Yes, sir.

Senator HARDWICK. And how much did it cost you to carry it?

Mr. PRAEGER. The cost of operation was \$75,165.94, which includes a bookkeeping charge of 6 per cent interest on the investment, and 33 per cent depreciation.

I call the Senate's attention to the fact that this route, which is confessedly an inadequate route in so far as the cost and the efficiency of it are concerned, lacked less than \$15,000 of paying for itself last year. I think under the circumstances it is a splendid showing.

The Second Assistant Postmaster General goes on further to say in his examination that if he were permitted to extend the route from Boston to New York and to Washington and Norfolk, he believes that it could be made fully self-sustaining another year.

It seems to me, in the light of those figures, we should give him this extra amount for the purpose of extending the route. It appears to me that it is a splendid showing. No one expected it to pay, and the fact that there was a loss of less than \$15,000 in one year shows the wisdom of Congress in undertaking it. The time will come when probably most of our mail will be carried by airplanes. I hope to see the day when we shall have airplane service all over this continent.

I hope the amendment of the Senator from Indiana will be voted down. It ought to be voted down. It is an amendment against progress. We discussed this question here a year ago. It was discussed fully by the distinguished Senator from Utah [Mr. KING] and others who were not in favor of the appropriation at that time. The wisdom of Congress in making the appropriation has, in my judgment, been fully established by the experiments that we have already made and the very small loss involved. We should always go forward in this work and not backward.

I trust the amendment of the Senator from Indiana will not be agreed to.

Mr. LEWIS. May I seek some information? I wish to ask members of the committee, the chairman, and the Senator from Tennessee if it is not a fact that foreign Governments have inaugurated this service, particularly in Great Britain and portions of France, and have they not developed a great deal of success with it, notwithstanding their first failure? Have we any evidence before the committee of the extent to which foreign Governments have proceeded? Is it not true that our program is, as it were, one in conjunction generally with the international carriage of mail by airplane?

Mr. NEW obtained the floor.

Mr. BANKHEAD. Mr. President—

The PRESIDING OFFICER. The Senator from Indiana has the floor. Will the Senator from Indiana yield to the Senator from Alabama?

Mr. NEW. Yes; to answer that question.

The PRESIDING OFFICER. The Senator from Alabama has the floor by the courtesy of the Senator from Indiana.

Mr. BANKHEAD. I rose to say that I have a statement of the Second Assistant Postmaster General, which gives the complete history of this service in all foreign countries that have it in operation as well as in this country, and I am going to ask to have it printed in the RECORD.

Mr. PENROSE. I suggest that the paper be read.

Mr. LODGE. I ask that the paper be read.

The PRESIDING OFFICER. Objection is made to the insertion in the RECORD without reading.

Mr. LEWIS. The only reason, I may say to the able Senator from Pennsylvania, why I would not ask to have it read is that I do not want to intrude upon the time of the Senator from Indiana, unless the Senator from Indiana desires to have it read.

Mr. KING. I should like to have it read.

Mr. NEW. I would like to have it read.

Mr. LEWIS. Then, of course, I shall be glad to have it read.

Mr. NEW. I yield for that purpose.

Mr. LODGE. I hope it will be read. It is a very important matter, and some of us are not fully informed about it. It is the general impression that the service between here and New York has been a total failure, owing to the uncertainty of the service.

The PRESIDING OFFICER. Is there objection to reading the paper? The Chair hears none, and the Secretary will read as requested.

The Secretary read as follows:

JANUARY 30, 1919.

MEMORANDUM ON AERIAL MAIL SERVICE.

The Aerial Mail Service was inaugurated May 15, 1918, and during the first six months of its existence its operations covered 68,892 miles, at a cost of \$75,165.94, including 6 per cent on investment and 33 per cent for depreciation. In that period it carried between Washington and New York 7,452½ pounds of aeroplane mail. The revenue derived was \$60,653.28. The net deficit, not taking into account the 6 per cent interest on investment, was \$8,969.08. In addition to the aeroplane mail carried there was dispatched between Washington, Philadelphia, and New York in the six months' period a total of 91,926½ pounds of first-class mail, aggregating 3,667,040 letters. This mail was advanced in dispatch from 6 to 16 hours, which many times made up for the small deficit in the operation of this service. This ordinary mail was letter mail from distant States, which was carried in addition to the aeroplane mail. Thus the ordinary mail put on the planes at Washington was usually mail from the South Atlantic Coast States and the Gulf States, distributed to carriers by the Railway Mail Service before reaching Washington, and by reason of aeroplane dispatch was delivered in New York on the same afternoon instead of the following morning.

The Washington-New York route was established not as a typical commercial line, but to solve the problems that had to be met to establish a daily dependable schedule. The flying record made on the New York-Washington line has never been equaled in the history of aviation, and its operation by civilian fliers of the Post Office Department has far exceeded its operation while under military control, the civilian fliers having a record of but 7 forced landings in 100 consecutive flights and only 2 failures in that time on account of fog or storm conditions. The mail has been carried in blinding rain and hail, on fog-bound days with visibility of not over half a mile, and in the face of gales. Only two winter gales were strong enough to prevent the aeroplanes from completing their journey. On Thursday, January 23, the mail was brought south as far as Silverside, Del., in the face of a 65-mile gale at an altitude of a few thousand feet.

The fastest time of flight carrying the mail from College Park to Belmont Park, N. Y., a distance of 218 miles, was 1 hour and 30 minutes, and the slowest time for a continuous flight was 4 hours and 56 minutes. The average time is 2 hours and 40 minutes. The common experience of the users of aeroplane mail is that a letter posted in the down-town stations in Washington as late as 10.50 a. m., and leaving the aviation field at 11.30 a. m., is usually delivered between 4 and 4.30 in the afternoon, which is in ample time before close of business.

EXTENSION OF SERVICE.

The greater the distance between the points on an aerial mail route the greater is the service rendered to commerce and the greater is the patronage of the line. A mail service leaving New York at 6 in the morning and arriving in Chicago before 3 o'clock in the afternoon, in time to connect with carrier deliveries, will advance the mail between the two cities by 16 hours over any train dispatch that can be made after the departure of the Twentieth Century Limited from New York at 2.45 p. m. The department desires to establish this line immediately and extend it west to the foot of the Rockies during the coming fiscal year, with the view of reaching the seaports of Seattle and San Francisco, if Congress authorizes the appropriation necessary. The air mail time between New York and San Francisco will be less than 40 hours. It is desired that this transcontinental trunk line shall be tapped by lines from Minneapolis, St. Paul, St. Louis, Kansas City, and other points, and ultimately by a line from Boston, via Albany, Buffalo, and Detroit, to Chicago.

A north and south trunk line from Boston to Atlanta should likewise be established, with an ultimate extension from Boston to Montreal, Canada, and from Atlanta, via Key West, to Habana. Based on the accurate cost accounting kept in the operation of the Washington-New York air mail line, the cost of an east and west trunk line from New York as far west as Omaha and a north and south trunk line from Boston to Atlanta has been carefully estimated at \$1,600,000. To this should be added \$400,000 for several essential feeders that would connect up Detroit, Minneapolis and St. Paul, St. Louis, Kansas City, and other points, and would admit of an extension as far west as Salt Lake City, this extension, however, dependent upon the extent to which the Government equipment can be transformed into strong and safe mail-carrying machines.

For this reason it would be very desirable to obtain an appropriation of \$2,000,000 for the ensuing fiscal year.

AERIAL PROGRAM OF FOREIGN COUNTRIES.

Such an appropriation and such a program will be found to be modest compared with the plans of the English, Italian, Canadian, French, and other Governments for the development and extension of aerial mail service during the present calendar year. The Italian Government is already operating commercial air lines three times as extensive as the single line now in operation in this country, in addition to the operation of several military air mail lines from Rome to the front. The

Canadian Government is preparing to go extensively into the aerial mail service and has advised the postal administration of the United States that it will send a representative to Washington to work out a plan of cooperation with this country. The following is a summary prepared by the publishers of Aviation on the aerial mail and passenger services in various foreign countries gathered from the latest information obtainable:

ITALY.

(1) Civitavecchia-Terranova, Sardinia (150 miles). Daily mail service by means of flying boats. Inaugurated June 27, 1917; temporarily discontinued during the winter of 1917-18; reopened in March, 1918. Average time, 2 hours.

- (2) Venice-Trieste (70 miles).
- (3) Venice-Pola (80 miles).
- (4) Ancona-Flume (130 miles).
- (5) Ancona-Zara (90 miles).
- (6) Brindisi-Cattaro (150 miles).
- (7) Brindisi-Vallona (100 miles).

Organized shortly after the signing of the armistice with Austria; operating.

- (8) Genoa-Nice (100 miles).
- (9) Genoa-Florence (120 miles).
- (10) Florence-Rome (140 miles).
- (11) Rome-Brindisi (290 miles).

Air mail lines (8) to (11), now being worked out, will constitute the Italian section of an interallied air mail service to be established between London, Paris, Rome, and Constantinople.

FRANCE.

(1) Paris-Marseilles-St. Nazaire (250 miles). Daily mail service by means of twin-engined Letord biplanes (Hispano-Suiza engines). Inaugurated August 15, 1918. Average time, 3 hours. Postage, 75 centimes (15 cents).

- (2) Paris-London (240 miles).
- (3) Paris-Lyons (240 miles).
- (4) Lyons-Marseilles (165 miles).
- (5) Marseilles-Nice (140 miles).

Air mail lines (3) to (5), now being organized, will constitute the French section of an interallied air mail service to be established between London, Paris, Rome, and Constantinople.

(6) Nice-Ajaccio, Corsica (150 miles). Daily air mail service by means of flying boats about to begin operations.

Various air mail lines, operated by the military, are functioning in southern Algeria and Morocco, chiefly for carrying official correspondence. The organization of an air mail line from Marseilles via Algiers to Timbuctoo is now being worked out. The sections, Biskra-Wargla (240 miles), Wargla-Inifel (211 miles), and Inifel-In Salah (223 miles), are in operation.

GREAT BRITAIN.

(1) London-Paris (240 miles). Daily passenger service, weather permitting, by means of twin-engined DH-10 biplanes. Now being jointly organized by the Aircraft Transport & Travel (Ltd.), of London, and the Compagnie Generale Transaerienne, of Paris. Average time, two and one-half to three hours. Passage, both ways, \$75.

GREECE.

(1) Athens-Janina (200 miles). Daily mail service; inaugurated August 8, 1918.

- (2) Athens-Salonica (220 miles). Daily mail service projected.

DENMARK.

(1) Copenhagen-Odense-Fredericia-Esbjerg (170 miles).

- (2) Copenhagen-Kalundborg-Aarhus (105 miles).

(3) Copenhagen-Göteborg-Christiania (330 miles). Daily mail service projected.

AUSTRIA.

(1) Vienna-Budapest (140 miles). Daily mail service, inaugurated July 5, 1918. Postage, 5.10 kronen (\$1).

NORWAY.

(1) Christiania-Stavanger-Bergen-Trondhjem (670 miles). Oversea route.

- (2) Christiania-Bergen (200 miles). Overland route.

- (3) Stavanger-Bergen (100 miles). Oversea route.

Projected air mail lines to be operated by the Norwegian Air Routes Co.

(4) Stavanger-Aberdeen, Scotland (320 miles). Projected air mail line to be jointly operated by the Norwegian Air Routes Co. and Aircraft Transport & Travel (Ltd.), London.

SPAIN.

(1) Madrid-Barcelona (320 miles).

- Barcelona-Palma, Baleares (170 miles).

Projected air mail lines to be operated by a Spanish company.

GERMANY.

(1) Berlin-Munich (350 miles). Daily mail and passenger service, weather permitting. Average time, four and one-half hours; passage, \$1 per mile.

Several other mail and passenger services are operating between the larger cities, but no details are available.

EQUIPMENT.

The Post Office Department has made a sincere effort to comply with the general and natural sentiment that the war planes left over at the conclusion of hostilities should be utilized in carrying the mails. The attempt at once developed that the DH-4's, of which more than 1,000 are said to be available, are too lightly built for commercial work. They were produced in immense haste for light war purposes, to rise from a prepared field, drop a certain number of bombs, fire machine-gun ammunition, and return to a prepared aerodrome empty. When required to make forced landings because of engine trouble they crumple up in a majority of the cases, frequently crippling or killing the pilot. The single casualty and the single case of serious physical injury sustained in the operation of the aerial mail service in this country, covering 93,463 miles of operation, were sustained in the persistent and conscientious effort made by the Post Office Department to utilize the DH-4 for cross-country commercial work. Single-motor planes must be expected to occasionally develop engine trouble, which necessitates a forced landing for readjustments. These forced landings must be frequently made over fields that are soft from rain or with holes, gulleys, or small obstructions that will turn a plane upon its back while coming to a stop on the ground. Whenever this occurs to a strong commercial machine, such as is used on the New York-Washington run, the damage is usually slight and the delay not serious.

However, when a DH turns turtle in such landings it generally sustains more serious injury. In a majority of the cases it fairly crumples up, resulting in bad spills or injury for the pilots. This is the result of the light construction of the planes, which makes them unavailable except possibly for the special war purposes for which they were designed.

There are also in this country, which might be available for mail service, a number of twin-motor Handley-Page's. These planes are of a slow type, with an average speed loaded of from 70 to 90 miles according to the characteristics of the individual plane. It requires the two engines to keep it in the air with a load, the result being that with one engine getting out of order the twin-motored Handley-Page of the type that were built in this country will come to the ground, although the other engine is intact and operating under full power.

Just as the war was coming to a close certain American manufacturers created twin-motor planes which surpassed anything in that line on the battle front. These planes have sufficient speed to make better than fast railroad time against the severest windstorms; also they can continue on their course in the air with a load against head winds with one engine operating. They can be built strong enough for commercial purposes and will prove satisfactory mail machines.

In the expenditure of any appropriation made by Congress it would be the policy of the Post Office Department first to use such of the De Havilland machines as can be rebuilt and strengthened with reasonable cost. A rebuilt plane of this character has been completed and is undergoing tests to ascertain whether it will be a dependable and safe machine. The services of some of the best aeronautical engineers of the country generously have been placed at the command of the Post Office Department to assist in solving the problem of making the surplus war planes suitable for commercial cross-country work. Should all these efforts fail to develop out of the war material a practical mail-carrying machine, it would be the purpose of the Post Office Department to call upon manufacturers for designs and bids for a commercial twin-motor machine of reasonable cost for carrying the mails. It is believed that with readjusted conditions in the aircraft industry with the cessation of war orders it will be possible to obtain such machines for considerably less than \$20,000 by utilizing surplus parts and engines which the War Department has put at the disposal of the Post Office Department.

ARMY COOPERATION.

It has always been the policy of the Post Office Department to seek the fullest cooperation with the Army and Navy Departments in their training programs, so that the military personnel and equipment used in military training might incidentally render a civic function in carrying the mails. The Post Office Department has offered to take details of Army fliers and Army mechanics and to utilize war equipment in carrying the mails to such an extent as the military authorities may deem the practice gained by its personnel in the mail service of training value. In this cooperation the Post Office Department has pointed out that the maintenance of mail schedules must be the prime consideration, and that this can be obtained only through placing the men detailed to the Post Office Department under the direction and control of the Postmaster General during the period of such detail. The service can be operated from the standpoint of maintaining mail schedules more efficiently by the Post Office Department. Likewise the service can be operated at a much less cost to the Government by the Post Office Department than it can be operated by a military branch, notwithstanding the higher wages paid to civilian aviators and mechanics, for the reason that it is the policy in the military branches to be more lavish with men and materials than obtains in civilian operations.

The extent of the expansion of the aerial mail program in this country will naturally depend upon the amount of cooperation that the military authorities may finally determine would be of value in their air training program. This factor, however, is a matter of uncertainty, and it is therefore desirable that Congress should make an appropriation of at least \$2,000,000 that a substantial aerial mail service may be inaugurated, independent of the final determination of the military authorities as to the value and the extent of utilizing the aerial mail service as an adjunct to their training program. If this is not done it is probable that this country at the end of a year will find itself as far behind in the commercial development of aviation as it found itself in military aviation upon entry into the recent war.

OTTO PRAEGER,

Second Assistant Postmaster General.

Mr. NEW. Mr. President, I have previously seen the report which has just been read, and I have listened to its reading now with renewed interest. Certainly no Senator on this floor has greater faith in the future of aerial navigation than have I. I may be a dreamer on the subject, but, Mr. President, I think I foresee the day when the airplane will not only be used for the very general transmission of the mails but when Senators who live on the western coast will be taken to and from their homes by airplanes, if they will stand for it, before we see the end of the development of aerial navigation.

However, Mr. President, I do not believe that this is the time or the place to indulge in what I think is an extravagant experiment. I believe we should have a central and separate department of the Government devoted to aeronautics. Not only that, but I believe we shall have it before we get through with this thing. I think it is inevitable; and at another time—I do not mind revealing my intentions to press for the passage of the bill which I introduced here last August, and which has been on the calendar of the Senate since the 17th day of September last, calling for the institution of a separate and distinct department of aeronautics. I believe in that. Other nations of the world are making very extensive experiments, and with separate aircraft departments.

As I have said, I have read this report and have again listened to it here to-day. I know what those foreign nations are doing, but they are pursuing those experiments in an intelligent and a systematic way. Nearly every one of them has a separate

and distinct department of aeronautics, which has the direction of everything pertaining to the subject.

Here we have the War Department, that is making many experiments; the Navy Department, that is making experiments; the Marine Corps, that is making experiments; and the Post Office Department—four departments of the Government, at least, who are now each conducting their own lines of experiment in aeronautical navigation. Neither one of them to this hour is equipped to do it, not even the War Department.

The whole matter of aerial navigation as it has been worked out in this country in the last two years has been the one conspicuous failure that we have made, and I do not want to see that failure continued and enlarged, as it is to be if we are going to permit each one of four or more departments of the Government to be making separate and distinct experiments of their own, each at very great cost.

The Assistant Postmaster General, in this report, speaks of the establishment of lines between Chicago and San Francisco. That is all right. I believe that that is all possible and probable at some day; but, Mr. President, we have to-day not a single airplane field between Chicago and San Francisco. They can not inaugurate anything of that kind and maintain it without such fields. The whole matter as it is proposed by the Post Office Department here is so nebulous and so indefinite that, to my mind, it is perfectly apparent that the \$850,500 which is asked for in this appropriation will be added to the money which we have already poured into that same hole, and the product of it will be to have added that much to what we have not got.

Mr. KING. Mr. President, will the Senator from Indiana yield to me?

Mr. NEW. I will yield to the Senator for a question.

Mr. KING. That is all I desire. I want to ask the Senator, who is a member of the Military Affairs Committee, and who has given a great deal of attention to the subject of aeronautics, if it is not a fact that, as a result of the war out of which we have just emerged, there has been somewhat of a change of opinion with regard to certain airplanes, and if the countries which have been using airplanes are not now attempting to revalue—if I may be permitted the expression—the uses of airplanes, and to determine those which would be the most serviceable for bombing purposes, for mail purposes, and for freight purposes, if freight may be carried? In other words, would it not be unwise to inaugurate this as a permanent system or to engage in experimentation so long as we have not yet made a true ascertainment of the virtues and the failure of aerial service up to the present time?

Mr. NEW. Oh, Mr. President, that is a pretty broad question and covers a great deal of ground. By way of a general answer to it I will say that I do not believe that I want the United States to refrain from any further investigation or experimentation, for that matter, along the line of the development of the science of aeronautics until some other nation shall have demonstrated what a great thing, I think, it is going to be. I am, however, talking to this one particular point—the appropriation here at this time and in this bill of \$850,500 for the Post Office Department to play with.

The department speaks of the establishment of a route from Chicago to New York; they have undertaken that. Why, it is considerably more than a month—it is nearly two months ago—that they announced definitely that they were ready to proceed with the carrying of mails over that route; but up to this very minute, Mr. President, not one single letter has ever been delivered in either New York or Chicago from either end of that airplane route.

Mr. McKELLAR. Naturally, they could not, because they have not the appropriation with which to do the work.

Mr. NEW. Because they are not equipped to manage the route; that is the fact of it.

It is true the War Department has in this country now—well, I do not wish to be held to a strict accounting for what I am about to say—but I think it is something like 1,400 or 1,500 De Havilland four planes on hand. I do not know why they can not be used for these experimental purposes which are spoken of here. I am aware of the fact that some of them were delivered to the Post Office Department and were turned back. I know that, but the fact that they were turned back does not convince me that they were not serviceable.

Mr. President, we have something more than 6,000 trained pilots in the War Department and we have nearly 5,000 cadets who have been graduated for flying purposes. I do not see why the War Department can not be called upon to furnish such fliers and such machines as the Post Office Department needs for carrying on their experiments.

At this point, Mr. President, I should like to ask the Senator from Alabama why it is necessary for us to make a large appro-

priation here for one department of the Government to purchase planes and equipment from another department of the Government?

Mr. McKELLAR. Mr. President, if the Senator will permit me to answer that question, I should like to quote for him what Mr. Praeger, the Second Assistant Postmaster General, has to say about that very matter. I had the same idea which the Senator from Indiana seems to have when I asked this question:

Senator McKELLAR. Don't you think that after this war is over you are going to be able to get those planes at a greatly reduced cost?

Mr. PRAEGER. We had figured on being able to utilize the Army's aeroplanes without asking for an appropriation to buy any machines at all.

Now, the status of the Army planes is this: You have to rebuild each one for commercial purposes. Take your Handley-Paige plane. That will cost between \$10,000 and \$15,000 to set up, because they are not set up; you simply have the machinery, woodwork, fuselage, and engines; you have to really build them up.

Senator HITCHCOCK. Then your conclusion on that point is that the Post Office Department will have to buy or build its own planes for mail service?

Mr. PRAEGER. We have got to modify all of the machines which were built primarily for the Army's use.

Senator HARDWICK. Is it more economical to take these War Department machines over and modify them or buy new ones?

Mr. PRAEGER. There are some War Department machines that we will probably be able to utilize with a less expense than it would cost us to buy a new machine. The war planes were all built under war conditions at a very high rate for labor, a very high rate for materials, and—

Senator HARDWICK (interposing). Under rush order.

Mr. PRAEGER (continuing). On the cost-plus basis; and these machines will all sell for a great deal less, possibly 40 per cent more off for depreciation.

Senator McKELLAR. Let me ask you, Mr. Praeger, if we can not utilize these Liberty motors? I am afraid to say the number we have on hand, but it strikes me it is somewhere in the neighborhood of 20,000 or more. Now, can not they be utilized? They are in storage in Europe and in this country; and it seems to me they ought to be utilized in this service.

Mr. PRAEGER. Yes. We have asked the Secretary of War to remit to us 100 of their engines, besides the 100 engines in the 100 De Havillands which they gave us. We are dealing right now with the Navy Department, which is going to sell us machines that we can change for about three-quarters of their values at 60 per cent off for depreciation for this purpose. Ordinarily they would have to sell them to the junkman, because they are obsolete as fighting machines; they are heavier than any of the Army machines that have gone across.

There the Senator will see just the situation. These Army machines have to be changed in order to carry the mail, and it requires money to change them. All of that is taken into consideration in the proposal mentioned in this bill.

Mr. NEW. Mr. President, I do not subscribe to the theory that there must be such numerous and expensive changes in machines which we have just finished building. It is true that they may not be entirely adapted to the purpose of carrying the mail, but they are adapted to the purpose of carrying on experiments and ascertaining whether or not the carriage of mail by airplane can be made successful.

Mr. President, getting back to the main subject again, I wish to renew my protest against this appropriation, on the ground that the Post Office Department is not equipped to carry on these experiments; there is no one connected with the department who knows enough about the subject of aviation to conduct these experiments intelligently and with a view to determining whether or not the service is a success.

This matter was discussed in the other House, and the House made an appropriation of \$300,000, unless I am mistaken, and I do not think I am—and if I am I ask to be corrected—

Mr. McKELLAR. The Senator is correct.

Mr. NEW. The House made an appropriation of \$300,000 for this service, and I think that is fully as large an appropriation as the Senate is justified in making at this time.

Mr. SWANSON. Mr. President, I wish to state to the Senate what controlled the committee in making this recommendation. As the Senator from Indiana [Mr. New] has already stated, \$300,000 was appropriated last year for experimental purposes. The experiment was conducted on a route from Washington to New York, and the Senate has heard the result of that experiment. While it was not as satisfactory as was expected and a loss was occasioned by it, yet the department has stated that the reason why it was not a success was because the route was not long enough and did not afford an opportunity to make a favorable test.

When the bill came to the Senate the department recommended the establishment of two routes, which it said would give a fair test as to whether this service would or would not be successful. It recommended one route from New York to Omaha, which would cost \$843,320, and it recommended another route from Boston to Atlanta, which would cost \$757,460. The department was satisfied that if the experiment were made on these two routes it could come here next year having determined whether aircraft could be successfully used as a means for carrying the mail.

The committee did not determine on either route. The committee thought that the experiment had not been sufficient to justify establishing two routes, but the committee thought no progress would be made unless we gave the department money enough to make the experiments on at least one route which they thought would test the service. We thought it was wise to let them select their own route, the route on which they could make the best showing, taking into consideration distance, population, the amount of mail, and conditions generally that would enable mail to be carried by aircraft. Unless we give them enough to establish a route upon which they can further experiment, we will be no further advanced next year than we are now.

The committee was unwilling to make an appropriation for two routes, but they were willing to let the experiment be extended on one route. Now, it is for the Senate to decide whether they are willing to allow the department to make the experiment on a route which will afford a satisfactory test according to the department or whether they will restrict the department to the short route on which the mail is now being carried by airplane under an appropriation of \$300,000. The committee made this recommendation to the Senate with the idea that it was better to let this matter be determined by increasing the appropriation and letting the department select the route, so that they might come in next year and state whether the service was a success or a failure. If it is a failure and it is demonstrated that aircraft can not successfully be used as a means of carrying the mail, then Congress will have afforded the opportunity of determining by experiments actual, full, and complete, and no excuses can then be made; but by making simply a small appropriation now for a route, which it is confessed can not be made a success, we get no further next year than we are this year. So we have simply recommended the one route, appropriating about half of the amount asked for, allowing the department to select a route anywhere in the United States which they think will afford a complete test and be successful.

Mr. WARREN. Mr. President, I have just come into the Chamber. When the Senator speaks of routes, what length routes are contemplated?

Mr. SWANSON. There were two routes contemplated, one from New York to Omaha, which is 1,225 miles, and the other from Boston to Atlanta, which is 1,100 miles. The department asked for an appropriation to make an experiment on these two routes, to determine whether mail could be carried successfully and profitably by aircraft.

Mr. WARREN. The intention being, having gone as far as Omaha and the middle section of the country, to go across and make it an ocean to ocean service?

Mr. SWANSON. Not at this time. The department did not recommend that.

Mr. WARREN. I am not speaking of this time, but of what it is the ultimate intention to do.

Mr. SWANSON. I am not acquainted with any ultimate intention; I have no information on that subject; but they thought that the test on these two routes, on account of business conditions and population, would afford the best opportunity to make a determination and decide whether it would be profitable or not for the Government to continue in the business of carrying the mail by aircraft.

Mr. JONES of Washington. Mr. President, may I ask the Senator a question?

Mr. SWANSON. Yes.

Mr. JONES of Washington. I have not been able to be present during very much of this discussion, and have been so busy with other matters that I have not had time to read the testimony and the reports as much as I should like. Is it the understanding of the committee that this eight hundred and fifty and odd thousand dollars is to be used to establish the two routes the Senator has described?

Mr. SWANSON. No, it is going to be used to establish one. The department wanted one million six hundred and some odd thousand dollars to establish two routes.

Mr. JONES of Washington. That is in addition to the route between Washington and New York?

Mr. SWANSON. The route between Washington and New York would be included in the route from Boston to Atlanta. The route to New York would be extended to Boston, and the route from Washington would be extended to Atlanta. The department was satisfied that if the experiment was made on the two routes the service would prove profitable, and that Congress would be satisfied that airplanes ought to be used as a part of the mail service.

Mr. JONES of Washington. I wish to ask the Senator on what basis do they expect a route, for instance, between New York and Atlanta to be profitable?

Mr. SWANSON. From the amount of mail they have already been carrying on the present route between Washington and New York they are satisfied that that route, if extended to Boston on the north and to Atlanta on the south, would cover a sufficient distance to make a fair test and demonstrate whether or not the service could be made profitable.

Mr. JONES of Washington. I understood the Senator to say that, so far as the reports are concerned, they indicate that the route between Washington and New York is a failure?

Mr. SWANSON. I think there was a loss of about \$15,000 in six months on that route, after charging 6 per cent for everything bought and 33½ per cent depreciation. Now, they have an idea that the route is too short to make a fair test, and that, if it is extended to Boston on the north and to Atlanta on the south, covering a sufficient distance and passing through proper sections of the country, a sufficient demand for such service will be created to make it profitable.

Mr. JONES of Washington. What is the cause of the loss between New York and Washington?

Mr. SWANSON. The expense of operation, and not having enough mail, I presume.

Mr. JONES of Washington. Do they expect to have more mail from Washington City to Boston than they do from Washington City to New York?

Mr. SWANSON. They have an idea that when the mail is brought through in that way, and then they have some collateral connections on the main line, it will prove very profitable. I could not reach a conclusion as to whether this would be true or not; but the consideration that controlled me was that until this is done, and an opportunity is given to try what is proposed, no progress will be made in determining as to whether aircraft can be used as a successful part of the Post Office Department or not.

Mr. McKELLAR. Mr. President, will the Senator yield to me to enable me to answer the question propounded by the Senator from Washington?

Mr. SWANSON. Yes.

Mr. McKELLAR. Why, of course, the necessity for rapid mail facilities between New York and Boston is greater than between New York and Washington. Washington is not a commercial city and Boston is, and they can yoke up these routes by making them longer, so that it will cause the quick mail service to be very much more greatly utilized.

Mr. SWANSON. They have an idea that by stopping at these cities, carrying the mail quickly, and assembling mail at the points where these airplanes will stop enough mail will be engendered to make it profitable.

Mr. WARREN. Mr. President, does the Senator think there is anywhere near as much mail on the route from Boston to Atlanta as there is on the other routes to the West?

Mr. SWANSON. We did not know which was the better route. We refused to put in any terms. The department said, "We can make a test of one route for \$850,000, complete and absolute, and you can let the collateral lines come in." We said, "Now, it is useless to waste \$100,000 or \$200,000 on routes which it is confessed can not be a success. In order to test this matter, we will give you money enough for one route, and you can select it—from Boston to Chicago, from Chicago to San Francisco, or from Boston to Atlanta—but select your one route and make your test and have no excuse of not sufficient money for that one route."

Mr. WARREN. The matter is left entirely to the Postmaster General, is it?

Mr. SWANSON. Absolutely. We do not wish to select a route. When we come back here next year we do not want to have the department coming in here and saying, "We did not have money enough to show whether or not this route was a success." These two routes that they ask for are disconnected. They can select which of the two is better to make the test. Under this provision they will have their money; and if there ever was a time when the test could be made, and could be made cheaply, it is now. We have aircraft in our Army and Navy that can be used. We have men who are already expert in the management of aircraft who can be utilized.

In making this recommendation the committee is satisfied that if there ever was a time when the experiment could be made cheaply and under the best conditions it is now. It is for the Senate to decide whether they want to make the experiment or not. That is all we know about it. After considering the reports that have been submitted, the experiments made, and the recommendations of the department, we simply gave them half what they wanted, because they wanted two routes. We let them select any route they wished and gave them enough money to conduct it successfully, if it can be done.

Mr. KING addressed the Senate. After having spoken, with interruptions, for 25 minutes he said:

May I ask the Senator having the bill in charge how long he desires to continue in session?

Mr. BANKHEAD. That depends upon how long the Senator from Utah desires to speak.

Mr. KING. The Senator from Utah has not exhausted his subject.

Mr. BANKHEAD. It is a very interesting speech, and we might go on for an hour longer. I will leave it to the Senator's convenience.

Mr. KING. I think some Senators have exhibited impatience at the speech, notably the distinguished Senator from Tennessee.

Mr. McKELLAR. Quite the contrary. I have enjoyed it very much.

Mr. BANKHEAD. I am sure everyone is enjoying the speech of the Senator from Utah.

Mr. KING. I am quite sure that most Senators would be glad to take a recess at this time.

Mr. BANKHEAD. I think the Senator had better go on and finish his speech. The Senate would be delighted to hear the Senator further.

Mr. KING. The distinguished Senator from Alabama is very considerate.

Mr. McKELLAR. Let us go on.

Mr. KING. Upon this item I shall conclude in 15 minutes in the morning.

Mr. BANKHEAD. Could not the Senator go on and conclude now?

Mr. KING. I can stop now if the Senator desires.

Mr. BANKHEAD. If the Senator is through with his speech on this item I am willing to take a recess right now, but rather than that he should proceed to-morrow, I would prefer that he should conclude to-night.

Mr. KING. I would not want to promise that I shall say nothing on this item to-morrow. There may be some additional light that might be satisfactory to the Senator from Alabama, and I would be derelict in my duty if I did not bring it to his attention.

Mr. SHAFROTH. Let me suggest to the Senator from Alabama that if he gets the promise of the Senator from Utah that he will conclude in 15 minutes to-morrow morning, he will save time by taking a recess now.

Mr. KING. On this item I shall not take more than 15 minutes further.

Mr. BANKHEAD. I have a very great desire to oblige the Senator from Colorado. The Senator from Utah, I am sure, is a little wearied from his effort.

Mr. SHAFROTH. Yes; let us take a recess.

RECESS.

Mr. BANKHEAD. I move that the Senate take a recess until to-morrow at 11 o'clock.

The motion was agreed to; and (at 5 o'clock and 10 minutes p. m.) the Senate took a recess until to-morrow, Saturday, February 1, 1919, at 11 o'clock a. m.

HOUSE OF REPRESENTATIVES.

FRIDAY, January 31, 1919.

The House met at 11 o'clock a. m.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

O Lord God, our Heavenly Father, take us into Thine everlasting arms and hold us close to Thee, that we may feel the pulsations of Thy loving heart, be uplifted, strengthened, purified, ennobled; that in the onward march of time we may satisfy our better self, for Thine is the kingdom and the power and the glory, forever. Amen.

The Journal of the proceedings of yesterday was read and approved.

MILITARY ACADEMY APPROPRIATIONS.

Mr. DENT, from the Committee on Military Affairs, reported a bill (H. R. 15462) making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1920, and for other purposes, which was read a first and second time, referred to the Committee of the Whole House on the state of the Union, and with the accompanying report (No. 1019) ordered to be printed.

Mr. McKENZIE. Mr. Speaker, I reserve all points of order on the bill.

The SPEAKER. The gentleman from Illinois reserves all points of order on the bill.

ENROLLED BILL SIGNED.

Mr. LAZARO, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill of the following title, when the Speaker signed the same:

H. R. 12001. An act to amend an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911.

RELIEF FROM INFORMAL CONTRACTS.

Mr. DENT. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 13274) to provide relief where formal contracts have not been made in the manner required by law, disagree to the Senate amendments and ask for a conference.

The SPEAKER. The gentleman from Alabama asks unanimous consent to take from the Speaker's table a bill which the Clerk will report by title.

The Clerk read the title of the bill.

The SPEAKER. The gentleman from Alabama asks unanimous consent to disagree to the Senate amendments and ask for a conference. Is there objection?

Mr. HAMLIN. Mr. Speaker, reserving the right to object, I should like to ask the gentleman from Alabama a question. Recently we had before the Committee on Mines and Mining a bill relating to the settlement of mining claims, growing out of the bill we passed, which I think became a law on October 5 last. I have not had time to examine the bill as passed by the Senate carefully, but I understand that there was added to the bill in the Senate an amendment known, perhaps, as the Henderson amendment, covering the very thing that is covered in a bill that has been considered somewhat by the Committee on Mines and Mining of this House, but upon which our committee has taken no action. I think this is a very important matter. It has never been considered by the House for a moment, and no conclusion has been reached by the Committee on Mines and Mining; but we did go into the matter far enough to discover that it involved the expenditure, perhaps, of millions of dollars. Will the gentleman agree that in case the Senate does not recede from that amendment the House shall have an opportunity to consider it and vote upon it before an agreement is reached?

Mr. DENT. I hope the gentleman will not ask me to make an absolute promise in regard to that. My attention has recently been called to that amendment known as section 7 of the bill. I will state to the gentleman that so far as I am personally concerned I am not inclined to have an extraneous proposition like that incorporated in this bill. It does not come under the jurisdiction of the War Department. It is entirely foreign to the original purpose of the bill; but I would not like to make a hard and fast promise on the subject.

Mr. HAMLIN. In all the time I have served here I have never made this request before, and I am not now saying that I would not favor some plan to adjust these so-called mining claims; but I have gone into the matter just far enough to convince me that it involves a great amount of money, and I am not at all certain that there is a great deal of merit in these claims. I feel that under these circumstances we ought not to send this bill to conference, with the possibility that it will come back in such form that we will have to vote up or vote down the whole conference report in order to obtain consideration of this particular amendment. I think the House ought to have some opportunity to consider it before there is a possibility of agreement upon it.

Mr. DENT. I agree with the gentleman's general statement, but I hope he will not ask me to make any absolute assurance as to what the conferees will or will not do. I have had a conference with the Secretary of War and the Assistant Secretary of War, Mr. Stettinius, who has been representing the War Department in France for some time, and I can state that the contractual situation that we have entered into in England and in France is getting to be quite embarrassing. Unless some legislation is passed on this subject, and passed quickly, this Government is going to suffer some embarrassment.

Mr. HAMLIN. I appreciate all of that, and so far as the part of the bill that the gentleman is specially interested in, the House did consider that. I raise no question at all about that, and I am more than willing to trust to the gentleman's judgment. But upon this matter, which is largely extraneous and I think hardly germane—

Mr. DENT. I do not think it is at all germane—

Mr. HAMLIN. I want the House to have a chance to consider it.

Mr. GARNER. This mining proposition is a very important matter. I do not see any reason why the gentleman can not tell the House that on a matter of this importance if the Sen-